



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 9 a.m.)

(REGISTERED AT THE GENERAL POST OFFICE PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 7]

PERTH: MONDAY, 3rd FEBRUARY

[1964

INDUSTRIAL ARBITRATION ACT, 1912-1963.

Department of Labour,
Perth, 30th January, 1964.

HIS Excellency the Governor in Executive Council has been pleased to approve of the regulations set forth in the schedule hereunder, made by The Western Australian Industrial Commission established under section 44 of the Industrial Arbitration Act, 1912-1963, pursuant to the provisions of that Act and section 11 of the Interpretation Act, 1918-1962.

(Sgd.) C. A. REEVE,
Secretary for Labour.

Schedule.

THE WESTERN AUSTRALIAN INDUSTRIAL COMMISSION, with the approval of His Excellency the Governor, and in pursuance of the provisions of the Industrial Arbitration Act, 1912-1963, and section 11 of the Interpretation Act, 1918-1962, hereby makes the following regulations:—

Regulations of The Western Australian Industrial Commission.

Citation.

1. These regulations may be cited as the Industrial Arbitration Act (Western Australian Industrial Commission) Regulations, 1964.

Commencement.

2. These regulations shall have and take effect from and including the date of publication thereof in the *Government Gazette*.

Interpretation.

3. In these regulations, unless the context requires otherwise—

“Commission” means The Western Australian Industrial Commission established under the Act;

“Commission in Court Session” has the same meaning as that expression has in and for the purposes of the Act;

“Court” means the Western Australian Industrial Appeal Court established under the Act;

“Industrial Magistrate” means any stipendiary magistrate appointed under section 103 of the Act to be an Industrial Magistrate;

“Registrar” means the Registrar of Industrial Unions appointed under section 166 of the Act, and includes the Assistant Registrar of Industrial Unions so appointed;

“the Act” means the Industrial Arbitration Act, 1912 (as amended);

words and expressions used in these regulations have when so used the same respective meanings as are given to them in and for the purposes of the Act.

Industrial Union (Sections 8, 9, 11 and 16).

4. An application for a certificate from the certifying solicitor relating to the rules and purposes of a society applying for registration as a union shall be in Form No. 1.

5. The application shall be signed by the secretary of the society and shall be lodged with the Registrar accompanied by—

- (1) a list in Form No. 2 of the names of members and officers of the society with their addresses;
- (2) two printed copies of the rules of the society;
- (3) a statutory declaration in Form No. 3 made by one of the officers of the society verifying the application and the documents mentioned in paragraphs (1) and (2) of this regulation;
- (4) a copy of the newspaper containing the advertisement calling the general meeting of the society.

6. An application to register a society as a union shall be in Form No. 38 and shall be lodged with the Registrar accompanied by—

- (1) three copies of the rules of the society as approved by the certifying solicitor or the Court, as the case may be; and
- (2) the certificate of the certifying solicitor or the declaration of the Court relating to those rules.

7. The applicant society shall, within seven days of filing the application, serve a copy of the application accompanied by a copy of the rules of the society relating to the qualifications of persons for membership of the society, on each union which the Registrar directs shall be so served. Proof of such service shall be given in Form No. 42 at the hearing of the application.

Company (Section 17).

8. A company may, in pursuance of a resolution duly passed by its board of directors, make application for and may be granted registration as an industrial union of employers. The application shall be in Form No. 4 and shall be under the seal of the company and signed by the manager or other principal officer or the secretary thereof in Western Australia.

9. The application shall be accompanied by—

- (1) a certified copy of the certificate of incorporation, or of any act of incorporation of the company, or other evidence satisfactory to the Registrar of incorporation or registration of the company;
- (2) two copies of the memorandum and articles of association (if any) or rules of the company;
- (3) a list in Form No. 5 containing the names of the directors and of the manager or other principal executive officer of the company in Western Australia;
- (4) a statutory declaration in Form No. 6 made by one of the officers of the company verifying the application and the documents mentioned in paragraphs (2) and (3) of this regulation.

Industrial Association (Section 33).

10. Application by a council or other body for a certificate from the certifying solicitor relating to its rules and purposes shall be made in Form No. 7.

11. The application shall be accompanied by—

- (1) a list in Form No. 8 of the names of the industrial unions which are represented on the council or other body, and of the members of the council or other body representing such unions, and of the officers of the council or other body;
- (2) two copies of the rules of the council or other body;
- (3) a copy of the newspaper containing the advertisement calling the general meeting of the council or other body;
- (4) a statutory declaration in Form No. 3 made by one of the officers of the council or other body verifying the application and the documents mentioned in paragraphs (1) and (2) of this regulation.

12. An application to register a council or other body as an industrial association shall be in Form No. 38 and shall be lodged with the Registrar accompanied by—

- (1) three copies of the rules of the council or other body as approved by the certifying solicitor or the Court, as the case may be; and

- (2) the certificate of the certifying solicitor or the declaration of the Court relating to those rules.

13. The applicant council or other body shall, within seven days of filing the application, serve a copy of the application accompanied by a copy of the rules of the council or other body relating to the qualification of persons (unions) for membership of the council or other body on each union or association which the Registrar directs shall be so served.

Amalgamation of Unions (Section 10).

14. An application for a certificate from the certifying solicitor relating to the rules and purposes of a society formed by amalgamation of two or more unions shall be made in Form No. 9.

15. The application shall be lodged with the Registrar accompanied by—

- (1) A list in Form No. 2 showing the names of the members and officers of the proposed new union;
- (2) two copies of the rules of such proposed union;
- (3) a copy of the newspaper containing the advertisement calling the general meeting of the society;
- (4) a statutory declaration in Form No. 3 verifying the documents lodged therewith.

16. An application to register a society formed by amalgamation of two or more unions as an industrial union shall be in Form No. 38 and shall be lodged with the Registrar accompanied by—

- (1) three copies of the rules of the society as approved by the certifying solicitor or the Court, as the case may be; and
- (2) the certificate of the certifying solicitor or the declaration of the Court relating to those rules.

17. The applicant society shall, within seven days of filing the application, serve a copy of the application accompanied by a copy of the rules of the society relating to the qualification of persons for membership of the society on each union which the Registrar directs shall be so served.

Amendment or Rescission of Rules (Section 23).

18. An application for an amendment or rescission of rules of a union solely relating to the qualification of persons for membership of the union, or the area of operation or industry or calling in respect of which the union is registered, shall be made in Form No. 13 accompanied by a statutory declaration in Form No. 15.

19. (1) An application for a certificate from the certifying solicitor relating to an amendment or rescission of rules of a union other than the rules referred to in the last preceding regulation shall be made in Form No. 14 accompanied by the documents referred to in that Form.

(2) The application shall be verified by a statutory declaration in Form No. 15.

20. (1) An application for amendment or rescission of rules of a union (other than an application referred to in regulation 18) shall be made to the Registrar in Form No. 38 accompanied by—

- (1) three copies of the registered rules showing in distinctive characters the amendments or rescissions of which registration is sought;
- (2) three printed copies of the amendments or rescissions as approved by the certifying solicitor or the Court as the case may be; and
- (3) the certificate of the certifying solicitor or the declaration of the Court relating to those amendments or rescissions.

(2) An application for amendment or rescission of rules of a union referred to in regulations 18 and 20 shall be served by the applicant union within seven days of filing the application on each union which the Registrar directs shall be so served. Proof of such service shall be given in Form No. 42 at the hearing of the application.

Objections (Section 11 and 23).

21. Any person who is entitled to be heard in objection to an application referred to in any of the preceding Regulations shall, if he desires to be so heard, file a notice of objection in the office of the Registrar in Form No. 17 and shall serve that notice on the applicant union, society, council or other body not less than two days before the hearing.

Certifying Solicitor (Section 9A).

22. Notification by the certifying solicitor that the rules or purposes of a society, union, council or other body or any amendment or rescission of rules do not comply with the requirements of the Act or are unlawful, shall be given in Form No. 31 to the applicant and the Registrar.

23. A certificate by the certifying solicitor that the rules and purposes of a society, union, council or other body or any amendment or rescission of rules comply with the requirements of this Act and are lawful, shall be given in Form No. 32 to the applicant and to the Registrar.

Procedure by Registrar.

24. (1) Whenever the Registrar registers a society as a union or registers an amalgamation of unions he shall issue a certificate in Form No. 12 and in Form No. 10 or Form No. 11, as the case requires.

(2) Whenever the Registrar registers an amendment or rescission of rules he shall issue a certificate in Form No. 16.

Registered Office (Section 24).

25. An application for registration of the address of a branch office shall be made to the Registrar in Form No. 18.

26. Every change of address of the registered office or of a branch office shall be forthwith notified to the Registrar by the secretary of the union in Form No. 19.

Filing of Records of Industrial Union (Section 25 and 26).

27. (1) The statement required to be filed under subsection (3) of section 25 of the Act shall be in Form No. 20.

(2) The prescribed time under subsection (4) of section 25 of the Act for filing with the Registrar a copy of the records required to be kept by an industrial union under paragraph (b) of subsection (1) of that section shall be during the month of January in each year.

(3) The statutory declaration under subsection (4) of section 25 of the Act shall be in Form No. 21 and may be made by the president of an industrial union in lieu of the secretary.

(4) Notification of changes in the holding of offices in an industrial union pursuant to subsection (5) of section 25 of the Act shall be filed in Form No. 22 within 14 days of the date of the change.

(5) All documents filed with the Registrar under section 25 of the Act may be inspected at the office of the Registrar during office hours on payment of the prescribed fee.

(6) A certificate of exemption under subsection (1) of section 26 of the Act shall be in Form No. 23.

Annual Balance Sheet (Section 28).

28. The balance sheet of the assets and liabilities and the statement of the receipts and expenditure of the union required to be delivered to the Registrar under section 28 of the Act shall be in Form No. 24.

Change of Name (Section 13).

29. An application under section 13 of the Act by a union for the consent of the Commission in Court Session to change its name shall be made in Form No. 25 and filed in the office of the Registrar. The application shall be accompanied by a statutory declaration in Form No. 26 made by the secretary or other officer of the union.

30. A notice in terms approved of by the Registrar intimating the intention of the applicant union to make the said application shall be published in a newspaper circulating in the city, town, or locality in which the head office of the applicant union is situated.

31. Unless the Commission in Court Session otherwise directs, the Registrar shall attend at the hearing of the said application. By leave of the Commission in Court Session, any person interested may be heard in opposition to the application.

32. Should the Commission in Court Session decide to accede to the request contained in the application, the Registrar shall cause a memorandum of such decision to be entered in his register, and if required by an officer of the applicant union, shall issue a certificate in Form No. 27 with such modification as he may deem necessary.

Cancellation of Registration (Section 29).

33. An application to the Registrar by an industrial union for cancellation of the registration thereof shall be made in Form No. 28.

34. On being satisfied that the application is in compliance with the provisions of the Act and regulations, the Registrar shall, after having given six weeks' notice in Form No. 29 in the *Government Gazette* and in a newspaper circulating in the city, town, or locality in which the head office of the applicant union is situated, cancel such registration by notice in the *Government Gazette*.

35. In all other cases an application for cancellation of the registration of a union shall be made in Form No. 30 and served upon the union the registration of which is sought to be cancelled.

36. The Registrar shall appoint a time and place for the hearing of the application and notice thereof in Form No. 46 shall be sent by the Registrar to the applicant and to the industrial union concerned.

37. The Registrar shall attend or be represented at the hearing and he shall, if required, cause to be produced all files, records and papers under his control relating to the registration and conduct of the industrial union and he shall enter upon his register a memorandum of any order made by the Commission in Court Session directing cancellation.

Request for Election (Section 36M).

38. (1) For the purposes of section 36M of the Act, the number of members of an industrial union by whom a request for the conduct of an election under that section may be made is five hundred, or one-tenth of the total number of the members of the industrial union, whichever is the less.

(2) Subject to this regulation, a request for the conduct of an election under section 36M of the Act shall be made not less than one month, nor more than three months, before the last day on which persons may become candidates at the election.

(3) The Registrar may, in his discretion, accept a request made less than one month before the date specified in subregulation (2) of this regulation if he is satisfied that it is practicable for the election to be conducted under section 36M of the Act in pursuance of the request, and a request so accepted shall be deemed to have been made in due time.

39. Where the Registrar has, in pursuance of subsection (5) of section 36M of the Act, informed an industrial union that he has decided that a request in relation to an election has been duly made under that section, a person other than the person conducting the election in pursuance of that section shall not, except with the authority or at the direction of the person so conducting the election, do or purport to do any act in the conduct of the election.

Penalty: Twenty pounds.

Industrial Agreements (Section 38).

40. The Registrar upon being presented with an industrial agreement and upon being satisfied that the said agreement is in accord with the provisions of the Act shall cause the duplicate original thereof to be filed in his office. At the same time he shall number the industrial agreement and note thereon the date of the filing thereof. He shall endorse upon the original agreement, if produced, a memorandum in Form No. 33.

Mode of Retirement (Section 37.)

41. The notice signifying intention to retire from an industrial agreement shall be in Form No. 34 and shall be filed with the Registrar. A copy of such notice shall at the same time be forwarded by the party retiring, by ordinary prepaid post, to each of the other parties to the agreement, directed to their usual or last known addresses.

Industrial Agreements—Agreed Variations (Section 41).

42. Any industrial agreement varying another industrial agreement shall be dealt with as provided in regulation 40 and shall, where any parties to the agreement which is being varied are not parties to the amending agreement, list those parties in a schedule to the amending agreement.

Concurrence with Industrial Agreements (Section 39).

43. The notice signifying concurrence with an industrial agreement shall be in Form No. 35 and shall be filed with the Registrar.

Application to Commission to Amend Industrial Agreement (Section 42).

44. (1) An application to cancel, amend or vary any provision of an industrial agreement shall be in Form No. 38 to which shall be annexed—

- (a) particulars of the cancellations, amendment or variations sought;
- (b) a short description of the circumstances which have arisen since the making of the agreement which at that time could not reasonably have been foreseen by the parties to the agreement; and
- (c) the reasons in brief why those circumstances render any provision sought to be cancelled, amended or varied no longer just.

(2) The application, together with its annexures, shall be filed with the Registrar and served on each other party to the agreement, and each party so served shall file an answer to the claim in Form No. 43 and serve it on the applicant within the time prescribed by regulation 54.

(3) Any party who has filed an answer pursuant to the last preceding subclause may, in Form No. 43, put forward counter proposals to which the applicant shall reply in Form No. 44 filed in the office of the Registrar and served on the respondent within ten days, but every such counter proposal shall relate to the subject matter of the claim.

(4) After the respondents have filed and served their answers and counter proposals (if any) and where necessary the applicant has filed and served a reply as prescribed in subregulation (3) of this regulation, the Commission may, if in its opinion it is desirable, require the parties to attend before the Registrar to settle the issues.

Oath of Office and Secrecy (Section 59).

45. The oath prescribed under section 59 of the Act shall be in Form No. 36. The record of the oath when administered as herein prescribed shall be lodged with the Registrar.

Seal of Commission (Section 44).

46. There shall be a Seal of the Commission bearing the Royal Arms and the words "The Seal of The Western Australian Industrial Commission." The Seal shall be in the custody of the Registrar and shall be affixed by him to Awards, Orders and processes as hereinafter provided, and to such other documents as the Commission may direct.

Rules for the Conduct of Proceedings before the Commission (Section 179).

47. (1) All applications made to the Commission shall be lodged with the Registrar who shall issue all processes out of the Commission, keep a register of all proceedings in and Orders made by the Commission and affix the Seal of the Commission to all necessary documents. Except where otherwise provided by these regulations or where otherwise directed by the Commission, one copy of any document for the use of the Commission shall be lodged with the Registrar.

(2) Every matter brought into the Commission under the Act shall be marked by the Registrar with some distinguishing number, and all documents filed and subsequent proceedings taken in the Commission with reference to such matter shall be distinguished by the same number, and the entries in the records kept with regard to each such matter shall be entered together and shall be kept separate from the entries with respect to any other matter.

(3) Any act or thing required by these regulations to be done by the Registrar may be done on his behalf by the Assistant Registrar or the person for the time being performing the duties of either of those offices.

(4) Every proceeding in the Commission shall be entitled as in Form No. 37.

(5) When no form of motion, summons, application, order, or other document or instrument is prescribed, or when no adequate form is prescribed, the form shall be such as the Registrar, under the direction of the Commission, directs or approves.

(6) When anything is required to be in any of the forms prescribed it shall be sufficient if it is to the like effect. Any such forms may be modified by the authority of the Registrar to meet any particular case.

Applications to the Commission.

48. (1) Applications to the Commission except where some other method or form is prescribed shall be by Notice of Motion in Form No. 38 filed with the Registrar and served upon such persons and within such times as the Commission may direct.

(2) An application made under this regulation shall be supported by a Statutory Declaration setting out the facts on which the applicant relies.

Ballot (Section 107).

49. The prescribed time and manner for holding the ballot required under section 107 of the Act shall be as follows:—

- (1) The taking of the ballot shall not extend beyond a period of seven days or such extended period as the Commission may order, and shall be commenced subsequently to the passing of the resolution of the special meeting.
- (2) A returning officer shall be appointed by the governing body of the union whose duty it shall be to generally supervise the conduct of the ballot and perform the other duties hereinafter prescribed.
- (3) Ballot papers shall be prepared by the union and initialled by the returning officer. One such paper, initialled as aforesaid, shall be supplied to or posted out to each member, addressed to him or her at his or her address, in such time if possible as to allow the member a reasonable opportunity to vote, and to no other person; and not more than one ballot paper shall be supplied to each voter.
- (4) The ballot paper shall not when issued indicate in any manner the name or identity of the voter; provided that if a voter signs or initials a ballot paper it shall not thereby be invalidated.
- (5) The ballot shall be taken by means of a ballot box. The ballot box shall be provided with a lock and the returning officer alone shall have the key thereof.
- (6) Before the ballot, the returning officer shall inspect the ballot box, and having ascertained that the same is empty, shall thereupon lock the said box and retain the key in his possession until the close of the ballot.
- (7) Should a voter be unable conveniently to attend at the voting place, he may post or forward his ballot paper to the returning officer during or prior to the period fixed for taking the ballot; but every ballot paper so posted or forwarded shall be accompanied under separate cover by a separate paper containing the voter's name. The envelope containing the ballot paper shall be securely closed by the voter and shall have the words "Ballot paper" written thereon.

- (8) The returning officer shall mark off on the roll of members the name of each member who votes either in person or by means of a ballot paper posted or forwarded as aforesaid, and he shall, during the period fixed for taking the ballot, place in the ballot box each envelope received purporting to contain a ballot paper, after detaching, if necessary, the separate accompanying paper containing the voter's name, which he may thereupon destroy.
- (9) A vote shall be invalid if the ballot paper is received by the returning officer subsequently to the time fixed for the close of the ballot, or if the ballot paper is posted or forwarded without the accompanying paper containing the voter's name or if any one of the foregoing provisions is infringed or not complied with.
- (10) At the expiration of the time decided upon for the taking of the ballot, the returning officer shall, in the presence of such members of the union as may be present, open the ballot box, count the votes indicated on the ballot papers therein, and shall report the result of such count to the union. The result of such ballot shall be recorded on the minutes of the union.

Reference of Industrial Disputes to Commission (Sections 66 and 107).

50. (1) An application to the Commission for the reference of an industrial dispute shall be lodged in Form No. 39.

(2) In the case of an Industrial Union the following documents shall be lodged with the Reference:—

- (a) a certificate in Form No. 40.
- (b) a copy of the newspaper in which the resolution set out in Form No. 40 has been published.
- (c) when the request mentioned in section 107 (3) has been made, a further certificate in Form No. 41.

(3) When filing the Reference as prescribed by this regulation, there shall at the same time be produced to the Registrar as many copies as there are respondents and the said Registrar shall sign a memorandum at the foot of each such copy setting forth the fact and date of the lodging of the original, and shall then return to the applicant signed copies for service on each of the respondents. The applicant shall cause the Reference to be served upon each respondent within a reasonable time after the lodging thereof.

Service.

51. Service of any notice or other document under the Act or these Regulations may be effected:—

- (1) In the case of an industrial union, in accordance with section 15 (3) of the Act.
- (2) In the case of a company or other corporation, by leaving it at, or sending it by post in a prepaid registered letter to the registered office of the company or corporation.
- (3) In the case of a partnership, firm or unincorporated company or body, by leaving it at, or sending it by post in a prepaid letter to the partnership, firm or unincorporated company or body at the principal place of business thereof in the State.
- (4) In the case of any other person, by delivering it to him personally, or by leaving it for him at his usual or last known place of abode, or if he is in business, at his usual or last known place of business; or sending it by post in a prepaid letter addressed to him at his usual or last known place of abode, or if he is in business, at his usual or last known place of business: Provided that no place shall be deemed the place of business of any person unless he is a principal in the business.

Proof of Service.

52. Service may be proved by a statutory declaration made before the Registrar, a Justice of the Peace, or Commissioner for Declarations, in Form No. 42, and filed with the Registrar.

Answer.

53. (1) Each respondent upon whom the copy reference is served, and each person, firm, or corporation who, or which, considers himself or itself directly affected by the proceedings shall, if he or it desire to contest the claims, or any of them, made in the reference, file in the office of the Registrar an answer thereto, and shall at the same time produce to the Registrar as many copies thereof as there are applicant parties to the reference: Provided always that it shall be permissible for any number of respondent parties to file one conjoint answer. The Registrar shall sign at the foot or end of each such copy a memorandum setting forth the fact and date of the lodging of the original, and shall then return to the respondent the signed copies. The respondent shall forthwith cause one such copy to be served upon each applicant.

(2) Any person, firm or corporation not named as a respondent in the reference shall (unless the Commission otherwise orders), upon filing an answer as herein prescribed, be deemed thenceforward to be a respondent.

(3) An answer shall be in Form No. 43. The answer shall either admit or dispute (either with or without qualifications) every claim appearing in the reference, or in any schedule attached thereto.

(4) The respondent shall be entitled to put forward any counter-proposal, to which the applicant shall reply within ten days, in Form No. 44 filed with the Registrar and served on the respondent.

Time for Filing Answer.

54. The time within which an answer may be filed and served as aforesaid shall be limited to the following interval from the date of service of the reference:—

- (1) Where the whole of the area affected by the reference is situated within 25 miles of the General Post Office, Perth, fourteen days.
- (2) Where the said area or some portion thereof is situated at a greater distance than 25 miles from the General Post Office, Perth, but is within the South-West Land Division, twenty-one days.
- (3) In any other case, thirty days.

Default of Answer.

55. Should no answer be filed within the prescribed time, or within such extended time as may have been allowed, the applicant may apply to the Commission for a date of hearing.

Further Particulars.

56. Any party to the proceedings may apply to the Commission in Chambers for an order that fuller or more complete particulars of claims or answers or of any application be furnished.

57. (1) An applicant or respondent may, at any time after the service of the answer or any reply to a counter proposal as provided for in regulation 53 (4), take out an appointment with the Registrar for the settlement of issues in dispute, and shall give to the other parties at least two clear days' notice of the time appointed for such purpose.

(2) The Registrar shall preside at the meeting of the parties and shall settle the issues, which shall subsequently be drawn up for the use of the members of the Commission and supplied to the representatives of such of the parties as take part in the proceedings.

Extension of Time (Section 71 (1)).

58. Any party to the proceedings, or any party intending to become a party thereto, and desiring an extension of time within which to file an answer or do any other act or thing required by these regulations, may apply to the Commission for such extension upon giving at least twenty-four hours' previous notice of such application in Form No. 45 to all parties concerned.

Hearing.

59. At any time after the settlement of issues or if no settlement is required after all procedure is completed, any party may apply in writing to the Registrar for a date and place to be fixed for the hearing of the matter. The Registrar shall give to each party at least seven days' notice (or such less notice as the Commission may direct) of the date and place of hearing, the notice to be in Form No. 46.

Application to Extend Operation of Award (Section 84).

60. An application for the extension of the operation of an Award shall be in Form No. 47 and shall be served on such persons as the Registrar after consultation with the Chief Industrial Commissioner may direct. Where the application is made on behalf of an industrial union, it shall be accompanied by the certificate in Form No. 40.

61. The application shall be lodged with the Registrar, who shall cause at least twenty-one days' notice of the said application and of the proposed place and date of hearing thereof, in Form No. 48, to be advertised in a newspaper circulating in the locality specified in the application.

62. Any person or body objecting to the making of any such order and desiring to be heard must, two clear days before the proposed date of hearing, lodge with the Registrar, and serve upon the applicant a notice in Form No. 49.

Interpretation of Award (Section 90).

63. (1) An application for the interpretation of an award under section 90 of the Act shall be in Form No. 50. If the applicant is an industrial union, the application shall be accompanied by a certificate in Form No. 40.

(2) The application shall be filed with the Registrar and served forthwith upon each other party directly affected by the application.

Amendment of Award (Section 92).

64. (1) An application to review any provision of an award shall be in Form No. 38 to which shall be annexed

(a) particulars of the amendments sought; and

(b) a brief statement of the circumstances which have arisen since the making of the award or since the provision was last reviewed by the Commission which at that time could not reasonably have been foreseen by the parties;

but the requirement in paragraph (b) of this subregulation shall not apply where the term of the award has expired or where the application is agreed to by all of the parties to the award or where the application is made under a liberty to apply provision.

(2) The application, together with its annexures, shall be filed with the Registrar and served on each other party to the award and each party so served shall file an answer to the claim in Form No. 43 and serve it on the applicant within the time prescribed by regulation 54.

(3) Any party who files an answer pursuant to the last preceding subregulation may, at the same time in Form No. 43, put forward counter proposals to which the applicant shall reply in Form No. 44, filed in the office of the Registrar and served on the respondent within ten days, but any such counter proposal shall relate to the subject matter of the claim.

(4) After the respondents have filed and served their answers and counter proposals (if any) and where necessary the applicant has filed and served a reply as prescribed in subregulation (3) of this regulation, the Commission may, if in its opinion it is desirable, require the parties to attend before the Registrar to settle the issues.

Exemption from Union Membership (Section 61B).

65. (1) A person who objects on the grounds of conscientious belief to being a member of a union shall apply to the Registrar in Form No. 51 for a certificate of exemption from membership of the union.

(2) Upon the receipt of any such application, the Registrar shall, if satisfied that the applicant is qualified for exemption, require the person concerned to forward an amount equivalent to the subscription prescribed by the rules of the union concerned and on receipt of such amount issue a certificate of exemption in Form No. 52.

(3) The Registrar may renew such certificate in Form No. 53 from time to time on the payment of such amount as he may require pursuant to subsection (3) of section 61B of the Act.

(4) The Registrar shall notify any person whose application for exemption has been refused or any person whose exemption certificate has not been renewed of such refusal in Form No. 54.

Application by Employer to vary Award (Section 86).

66. (1) An application by an employer for leave to apply to vary an award under Section 86 of the Act shall be by notice of motion in Form No. 38. Such application shall be supported by a Statutory Declaration setting out the facts upon which the applicant relies and shall have annexed thereto particulars of the amendments sought to the award. Such application, shall be served upon each party to the award sought to be amended.

(2) The Commission may hear such application for leave in Chambers and if that application is granted, the applicant shall apply for amendment of the award by notice of motion in Form No. 38, setting out particulars of the amendments sought, which shall be filed and forthwith served on each applicant and respondent party to the Award.

(3) Each party to the award may file an answer in Form No. 43 indicating whether the order should be agreed to either unconditionally or subject to any condition or exception which shall be stated and serve it upon the applicant within the time set down in regulation 54.

Applications under Section 98A.

67. (1) An application to the Commission for an order under section 98A of the Act shall be supported by a statutory declaration setting out—

(a) the facts on which the applicant relies;

(b) where the applicant is not the Registrar or an industrial union, facts to show that he has a sufficient interest to make the application.

(2) A copy of the application and of the statutory declaration in support shall be served on the industrial union concerned at least seven days before the hearing, or such shorter time as the Commission, in an urgent case, may direct.

(3) Any person intending to oppose such an application shall file a statutory declaration setting out the facts on which he relies and shall serve a copy thereof on the applicant as soon as practicable thereafter.

Proceedings before Industrial Magistrate (Section 99).

68. (1) Subject to the Act, proceedings before an Industrial Magistrate, including the making of a complaint, the issue of a summons, the summoning of witnesses, the fees to be paid, the taking of evidence, the hearing and determination of the complaint, and the costs and allowances to parties and witnesses, shall be the same *mutatis mutandis* as those laid down and prescribed by the Justices Act, 1902 (as amended), in respect of proceedings before Justices for a simple offence: Provided that the complaint may be made before and summonses issued by the Registrar or the Clerk to the Industrial Magistrate, or any Justice of the Peace or Clerk of Petty Sessions, irrespective of his jurisdiction. Forms Nod. 55, 56 and 57 are prescribed for general use.

(2) When the complainant is an industrial union, the complaint shall be accompanied by the certificate in Form No. 58.

(3) The provisions of the Act as to representation of parties before the Commission shall apply to proceedings before an Industrial Magistrate.

Appeal from Award, Amendment of Award, Order or Decision of a Commissioner (Section 108C).

69. A Notice of Appeal under section 108C of the Act shall be in Form No. 59, and shall be filed at the office of the Registrar within four weeks next following the date of the Award, amendment of Award, Order or Decision appealed against.

70. The appellant shall state in the notice, the part or parts of the Award, Amendment of Award, Order or Decision appealed against and the extent to which he desires that such part or parts should be set aside or varied and the grounds upon which the appeal against the part or each of such parts is based.

71. Forthwith after filing the notice, the appellant shall serve a copy of the notice on each of the other parties to the Award, Amendment of Award, Order or Decision, but in respect of any of such parties represented by an agent, the notice may be served upon such agent.

72. The filing of an appeal shall operate as a Stay of Proceedings on the matter the subject of the appeal: Provided that the Commission may, on an additional application being made in Form No. 38, direct in Chambers that proceedings shall not be so Stayed.

73. At least two clear days prior to the date of hearing of the appeal, the appellant shall lodge at the office of the Registrar three copies of—

- (a) the reference or application to the Commission instituting the proceedings before the Commission;
- (b) any exhibits tendered to the Commission in respect to the matters the subject of the appeal; and
- (c) the reasons for decision given by the Commission together with the wording of any relevant provision issued by the Commission by Award, Amendment of Award or Order.

Appeal from the Western Australian Coal Industry Tribunal Under
Section 323 of the Mining Act 1904-1963.

74. (1) An application to the Commission to permit any decision or settlement given or effected by the Tribunal to be reviewed by the Commission in Court Session shall be by notice pursuant to regulation 48.

(2) The statutory declaration in support shall annex a copy of the decision or settlement and shall set out—

- (a) the part or parts of the decision or settlement of which a review is sought; and
- (b) the grounds on which a review is sought.

75. (1) If the Commission in Court Session permits the decision or settlement of the Tribunal to be reviewed by the Commission in Court Session, the applicant shall apply to the Commission by notice of motion in Form No. 38.

(2) The applicant shall cause a copy of any order permitting a review made by the Commission in Court Session and a copy of the notice of motion to be served on the Tribunal and on all other parties affected.

Applications Under Section 137.

76. An application to the Commission under section 137 of the Act shall be in Form No. 38 and shall be supported by a statutory declaration setting out—

- (a) the facts on which the applicant relies; and
- (b) facts to show that the applicant has a sufficient interest to make an application.

77. (1) In urgent cases the application may by leave of the Commission be heard by the Commission in Court Session *ex parte* in Chambers, but in such a case the statutory declaration referred to in regulation 76 shall specify the reason for such urgency. On the hearing the Commission in Court Session shall give directions as to service (or notice in lieu thereof) of the application and statutory declaration in support, and the terms of any proposed Order made *ex parte* and the date upon which the Commission in Court Session will allow representatives of the parties concerned to speak to the matters contained in the proposed Order.

(2) Any person named in or affected by any *ex parte* Order issued may move the Commission on twenty-four hours' notice to the applicant to vary, suspend or cancel the order, and shall file at that time a statutory declaration setting out the facts on which he relies and shall serve a copy thereof on the applicant as soon as practicable thereafter.

78. (1) In other cases, the applicant shall, after filing the application and statutory declaration in support, apply to the Commission for directions as to service of the application and for a date of hearing.

(2) Any person desiring to be heard in opposition to such application, or applying to vary, suspend or cancel an order made thereon, shall file a statutory declaration setting out the facts on which he relies and shall serve a copy thereof on the applicant as soon as practicable thereafter.

Demarcation of Calling (Section 74).

79. The provisions of these regulations relating to the nomination of members of Boards of Reference, the summoning of meetings and the resignation of a member of a Board shall, *mutatis mutandis*, apply to the Special Board constituted under section 74 of the Act. The chairman and members of a Special Board shall receive the same payment as a chairman and members respectively of a Board of Reference.

Board of Reference.

80. Subject to the provisions of any Award or Order of the Commission:—

- (1) Each Board shall consist of a Chairman and two or four other representatives nominated by the parties.
- (2) The parties shall notify the name of the person whom they agree should be the Chairman of the Board if such agreement is reached, or otherwise, notify that no agreement has been reached. Such notification shall be in Form No. 62 and lodged with the Registrar.
- (3) Nominations of representatives of workers by an industrial union shall be in Form No. 60. Nominations of representatives of employers shall be in Form No. 61 and be signed by at least three employers in the calling or callings to which the Board applies and where there are less than three employers, by the actual number of employers.
- (4) A majority of the members, one of whom must be the Chairman, shall constitute a quorum.
- (5) A member of a Board may resign at any time by notification in writing, signed by him and served upon the Registrar.
- (6) The Board may sit at such times and places as may be fixed by the Chairman and notified to the members thereof, and may adjourn from time to time and place to place.
- (7) The Board shall hold its deliberations in private, unless the majority of the representatives of the parties or the Chairman otherwise decides.
- (8) The decision of the Board shall be the decision of the majority of the members and shall be signed by the Chairman and forwarded to the Registrar who shall forthwith notify the parties.
- (9) The decision of the Board may be reviewed and altered by the Commission in Court Session on application of any of the parties, provided that the application to review such decision is lodged with the Registrar within fourteen days of such decision. Provided that all parties shall abide by the decision of the Board unless and until the same is altered.
- (10) With the consent of the Commission, either party may at any time vary its nomination of representative member.
- (11) The fees payable to every representative member of a Board of Reference for the time occupied by him in attendance at meetings of the Board shall be at the rate of fifteen shillings per hour with a minimum of £2 2s. for each meeting at which such member shall attend, or, in any case, such amount not exceeding £4 4s. per day as may be approved by the Registrar in consideration of the special circumstances of the case. The fee payable to the chairman of such Board other than a member of the Commission for the time occupied by him in presiding at meetings of the Board shall be at the rate of £1 1s. per hour with a minimum of £3 3s. for each meeting at which he shall preside.

81. (1) The chairman or any member of a Special Board or Board of Reference may require any person (including a member) giving evidence before a Board to give his evidence on oath or affirmation, and for such purpose may administer an oath or take an affirmation.

(2) For the purpose of obtaining evidence, and compelling the attendance of persons to give evidence, and the punishment of persons failing to attend when summoned, or refusing to give evidence or produce documents and for making any order as to the payment of the expenses of witnesses, the Board shall have all the powers and authorities of the Commission.

(3) Any question of costs arising during or incidental to the hearing shall be referred to the Commission.

Representatives before Commission (Section 67).

82. Where a person other than a legal practitioner proposes to appear as agent for any party to a reference or other matter he shall, before being entitled to be officially recognised as such agent, file with the Registrar a warrant in Form No. 63.

Procedure before Commission.

83. The procedure before the Commission shall be as follows:—

- (1) Upon the case or matter being called on, the applicant, or his agent (hereinafter in this regulation included under the term "the applicant") shall state the facts of the case and shall thereupon call his witnesses and produce such documentary evidence as he may desire.
- (2) Unless the Commission otherwise permits, the examination-in-chief may be conducted by not more than one person on behalf of the applicant, and the cross-examination may be conducted by not more than one person on behalf of each respondent.
- (3) The applicant shall be allowed to re-examine, but the re-examination shall be confined to matters arising out of the cross-examination.
- (4) The case for the applicant shall then close.
- (5) The respondent shall then be at liberty to open his case, call his witnesses, and the paragraphs (2), (3) and (4) hereof shall *mutatis mutandis* apply to the case of the respondent.
- (6) Where counter-proposals are made in the answer, the witnesses, if any, in support thereof shall be called before the close of the respondent's case.
- (7) The applicant may then by leave of the Commission address or call witnesses in respect of the counter-proposals.
- (8) The Commission may request either party at the close of the case to address it on the facts adduced. No concluding addresses shall otherwise be made.

Withdrawal.

84. A reference or any other application to the Commission may be withdrawn by the applicant with the consent of the Commission or upon a consent in writing to that effect being signed by or on behalf of each of the parties to such reference or application and filed with the Registrar.

Notice to Produce.

85. In the case of a reference, after the settling of the issues, or in the case of any other proceeding before the Commission, at any time after proceedings have been duly initiated, any party may, by notice in Form No. 64 served upon the opposing party, require him to produce at some reasonable time and place, for inspection by the party giving the notice, any book, paper, or other document in his possession, power, or control, relating to or containing anything relative to the matters in issue between them. Failing compliance with such notice within seven days or such other time as may be fixed by the Commission, from the service thereof, the party giving the same may apply to the Commission under the provisions of regulation 48 of these regulations.

Notice to Admit.

86. (1) In the case of a reference, after the settling of the issues, or in the case of any other proceeding before the Commission, at any time after proceedings have been duly initiated, any party may at any time at least seven days or such other time as may be fixed by the Commission, before the date fixed for hearing, give notice to any opposing party in Form No. 65 requiring him to admit any fact or facts relative to the issue. The party giving such notice shall file any admission or answer thereto with the Registrar forthwith after receipt thereof.

(2) Failure to comply with such notice prior to the hearing shall render the party in default liable to pay the costs of establishing any such facts unless the Commission shall be of opinion that the fact was not material or that there was reasonable ground for not making the admission.

Subpoena, etc. (Section 77).

87. A summons to witness shall be in Form No. 66. Each summons may contain the names of not more than five witnesses. The document shall be prepared in duplicate and presented to the Registrar, who shall file the original and sign and seal the duplicate and issue it to the party applying. A copy of the duplicate so issued shall be served.

Examination of Witness (Section 77 (4)).

88. Application for an order for the examination of any witness or person, under section 77 (4) of the Act, shall be made to the Commission in Chambers.

89. Any such examination shall take place in the presence of the parties or their agents, or of such of them as shall appear, and the witnesses shall be subject to cross-examination and re-examination. The deposition taken on any such examination shall be taken down in writing by or in the presence of the examiner so as to represent as nearly as may be the statement of the witness, and when completed shall be read over to the witness and signed by him in the presence of the parties or such of them as may think fit to attend.

90. If any person duly summoned by subpoena to attend for examination shall refuse to attend, or if having attended he shall refuse to be sworn or affirmed, or shall refuse to answer any lawful question, application may be made to the Commission in Chambers *ex parte*, or on notice, for an order directing such witness to pay the costs occasioned by his refusal or objection.

91. The original depositions authenticated by the signature of the examiner shall be transmitted by him to the office of the Registrar and there filed.

92. Unless otherwise directed by the Commission, no deposition shall be given in evidence at the hearing without the consent of the party against whom the same may be offered unless the Commission is satisfied the deponent is dead or beyond the jurisdiction of the Commission or unable from sickness or other causes to attend the hearing; in any of which cases the depositions certified under the hand of the person taking the examination shall be admissible in evidence without proof of the signature to such certificate.

Evidence.

93. (1) The Commission shall have the power to summon by writing under the hand of the Commission, any person whose evidence shall in the judgment of the Commission be material to the subject matter, to attend the Commission at such place and time as shall be specified therein; and such person may be required by such summons to bring any books, papers, writings, deeds and documents which the Commission may believe to be material, and any member of the Commission may examine such person upon oath or otherwise touching the matter to be inquired into.

(2) If any person on whom such summons shall have been served shall neglect or fail to appear according to the tenor of the summons requiring his attendance or being present, shall refuse to be sworn or to give evidence or to make answer to such questions as shall be put to him by any member of the

Commission touching the subject matter of the inquiry, or if any person having the custody or control of such books, papers, documents and writings, shall upon being summoned as aforesaid, fail or neglect to produce them at the time and place named in such summons, such person so offending shall, unless subject to any other penalty by the Act, be deemed to commit a breach of these Regulations and punishable accordingly.

Penalty: Twenty pounds.

(3) Any witness attending in pursuance of any such summons shall be entitled to expenses for travelling and maintenance according to the scale prescribed in these Regulations.

Allowances to Witnesses (Section 179 (1) (iv) (c)).

94. Allowances may be made to witnesses, including the parties to the proceedings if personally attending the Commission, for their attendance at the Commission according to the scale in force for the time being under the rules of the Supreme Court.

95. There may also be allowed to all witnesses and to parties, if personally attending the Commission, for travelling expenses, the sums actually and reasonably paid by them.

96. If witnesses attend in more than one case or matter they shall be allowed a proportionate part of their allowances in each case or matter.

97. The costs of witnesses, whether they have been examined or not, may, unless otherwise ordered, be allowed though they have not been summoned.

98. Any expert or scientific witness may be allowed for qualifying to give evidence such sum (in addition to travelling expenses to attend the trial, and attendance fee previously mentioned) as the Commission may think fit.

Exhibits.

99. No party to any proceeding before the Commission shall be at liberty to remove any exhibits without first obtaining the leave of the Commission.

Declarations.

100. (1) All declarations intended to be used on any interlocutory or other proceeding shall, before being used, be filed with the Registrar.

(2) Any declaration required to be made in pursuance of the provisions of these regulations may be declared before the Registrar, a Justice of the Peace, or a Commissioner for Declarations.

(3) Any party intending to adduce as evidence an affidavit or declaration shall furnish the opposing party or parties with a copy thereof within a reasonable time, and in the case of a reference, at least three days before the date fixed for hearing.

Orders.

101. All orders issued by the Commission in Court Session shall be signed by the Senior Commissioner among the Commissioners constituting the Commission in Court Session, and shall be sealed with the Seal of the Commission, and all orders issued by a Commissioner shall be signed by that Commissioner, and shall be sealed with the Seal of the Commission, and in each case, shall be filed in the office of the Registrar.

Where No Procedure Prescribed.

102. Where no procedure has been prescribed by the Act or under these regulations, any party or person concerned may make application *ex parte* to the Chief Industrial Commissioner, and the Chief Industrial Commissioner may direct the procedure to be followed.

Fees (Section 179 (1) (v)).

103. (1) The following fees shall be paid to the Registrar on the filing of applications and documents under the Act or these regulations and for the supply of documents, authentications or other services hereinafter specified:—

	£	s.	d.
Agreements, Industrial—			
On filing duplicate, original	10	0	
Answer—			
On filing answer to reference of dispute or other application	5	0	
Awards—			
Applications for amendment, interpretation, extension of operation, revision or revocation	5	0	
Any other application	5	0	
Declarations or Other Documents—			
For filing statutory declaration or any other document not otherwise herein provided for	2	0	
Notice of Motion—			
Where not otherwise specified	5	0	
Reference of Dispute—			
On filing reference of dispute	10	0	
Sealing Orders	10	0	
Summons—			
On issue of summons	5	0	
On issue of summons to witness	5	0	
Unions—			
Application for registration of society	10	0	
Application for amendment of rules	5	0	
Application for cancellation of registration	5	0	
Application for consent to change name	5	0	
For certification of a complete set of Rules by certifying solicitor	5	5	0
For certification of a part of a set of Rules by certifying solicitor	2	2	0

(2) For every document required to be authenticated by the Registrar or other officer—5s.

For every inspection on same day of one or more documents in the custody of the Registrar—2s.

For certifying copy of award, agreement, or order—5s.

For supplying certified copy of award, agreement, order or other document not exceeding 216 words, 2s. and if exceeding 216 words, 6d. per folio of 72 words in addition to certification fee.

(3) No fee shall be payable for any of the following matters:—

- The registration of treasurer, trustee, secretary or any other officer of a union.
- The cancellation or withdrawal of certificate of registration.
- Notice of change of registered office.
- Warrant to appear as agent.
- Any document in respect of which a fee is already chargeable under or by virtue of the Act or any other statute.
- An application for a certificate of exemption from membership of a union.

(4) The Registrar may dispense with the fee for inspection of documents where considered necessary.

(5) All fees which may be received by the Registrar, or any other officer, under or by virtue of the Act and these regulations, shall be paid into the Treasury to the credit of the general revenue.

Costs.

104. Where the Commission orders any costs of any proceedings to be paid to a party thereto, there shall be allowed to such party—

- the amount of fees paid under regulation 103 hereof by such party;
- witnesses' expenses in accordance with the rates prescribed by regulations 94 to 98 inclusive;

- (3) further sums in respect of the trouble and loss of time of the party as indicated by the following items:—
- (a) For preparing any document, 6d. per folio, with a minimum of 2s.
 - (b) Copies thereof, 3d. per folio, with a minimum of 1s.
 - (c) Attendance filing documents, 2s.
 - (d) Service of any document, where personal service necessary, in addition to necessary fares, 2s.
 - (e) Such further allowances as in the opinion of the Commission may reasonably be charged in respect of convening and holding meetings, including the hire of a hall in which to hold the meeting of the executive of the union and the out-of-pocket expenses allowed to the executive for attending the meeting.

Compulsory Conference.

105. (1) An employer or union requesting a compulsory conference shall so apply in writing to the Registrar and shall also state the subject matter of the dispute and the action which it is suggested should be taken to resolve that dispute. At the same time a copy of such application shall be forwarded to each other party to the dispute.

(2) A summons to a conference issued by a Commissioner under section 171 of the Act may be by telegram or according to Form No. 67.

(3) When a Commissioner desires to refer to the Commission in Court Session matters in dispute between the parties summoned to attend a conference under section 171 of the Act as to which no agreement has been arrived at, he may do so by transmitting to the Registrar a notice according to Form No. 68.

(4) As soon as may be after receipt of the said notice, the Registrar shall, if the Commission so directs, require by notice all or any of the parties concerned to file statements of their respective claims with him within a time to be limited in the notice; but failure of all or any of the parties to file claims or a claim shall not prevent the Commission in Court Session from dealing with the reference.

The Commission may fix a date for the hearing, and the Registrar shall thereupon send notice thereof to the parties.

The Commission in Court Session may allow the intervention of any person at the hearing if it shall appear to the Commission in Court Session to be just so to do.

(5) If any party fails to appear or be represented at the hearing, the Commission in Court Session may proceed in the absence of such party.

(6) The Commission in Court of Session may require any notes of the proceedings at any conference held before the Commissioner to be produced to the Commission in Court Session, and may make such use of them as shall seem just.

Consent to a Dispute being referred to a Commissioner.

106. Where all parties to a dispute agree in accordance with section 173 of the Act to the dispute or matters in difference being heard and determined by the Commissioner who presided over the conference they shall sign a consent in Form No. 69.

Fees payable to Examiners of Apprentices.

107. (1) The fee payable to each examiner of apprentices appointed by the Commission shall be on the following basis:—

Two and one-half guineas for every five or fraction of five apprentices examined. Provided that the minimum payment for any one day shall be not less than four guineas, and the maximum payment for any one day shall not exceed five guineas. Provided further that the fee for conducting a special examination approved by the Registrar shall be one guinea for each apprentice examined, which the Registrar may direct to be paid by the apprentice or the union concerned.

(2) In addition to the foregoing fees, where an examiner in the performance of his duties is required to travel, he will be entitled to reimbursement of all fares and other *bona fide* expenses actually incurred, particulars of which must be submitted to and approved by the Registrar.

GENERAL AND SUPPLEMENTARY.

Practices before the Commission.

108. Where there is no established practice or usage of the Commission and where none of the regulations now made is applicable, then, the practice for the time being of the Supreme Court shall, as far as is practicable, regulate the practice of the Commission.

Power to Waive Procedural Requirements.

109. (1) The Commission may, in relation to any proceeding before it, and the Registrar may, in relation to any proceeding before him, in special circumstances, and either absolutely or subject to conditions, exempt any person from compliance with any procedural requirement of these regulations.

(2) Non-compliance with any of these regulations shall not render void any proceedings before the Commission or the Registrar, but the proceedings may be set aside either wholly or in part as irregular, or amended, or otherwise dealt with in such manner and upon such terms as the Commission or the Registrar as the case may be thinks fit.

Forms.

110. The forms in the schedule may be modified to meet the special circumstances of any case, and any reference in these regulations to a form shall be read as a reference to a form in the schedule hereto.

Reference to Industrial Unions to include Industrial Associations.

111. All references in these regulations and the forms in the schedule hereto to an industrial union shall, where the context permits, be taken to extend and apply also to an industrial association.

Partial Revocation of Existing Regulations.

112. The regulations made under the provisions of the Act as those provisions existed immediately prior to the commencement of the Industrial Arbitration Act Amendment Act (No. 2), 1963, published in the *Government Gazette* on the 3rd October, 1952 and amended by notice published in the *Government Gazette* on the 15th July, 1960, are hereby revoked to the extent to which those regulations are applicable to and exercisable by the Commission under the jurisdiction conferred on the Commission by the Act as amended by the Industrial Arbitration Act Amendment Act (No. 2), 1963.

Dated the 30th day of January, 1964.

By The Western Australian Industrial Commission,

STEPHEN F. SCHNAARS,
Chief Industrial Commissioner.

ERIC R. KELLY,
Commissioner.

D. CORT,
Commissioner.

J. R. FLANAGAN,
Commissioner.

Form 1 (Reg. 4).

Industrial Arbitration Act, 1912-1963.

APPLICATION BY A SOCIETY FOR A CERTIFICATE FROM
THE CERTIFYING SOLICITOR.

Name of Society*.....

To the Registrar.

APPLICATION for a certificate from the certifying solicitor that the rules of the abovenamed society comply with the Act and that the purposes of that society are lawful is made by an officer of that society, whose name is subscribed hereunder.

1. The number of members of the Society (other than honorary) is not less than 15 (or, in case of an Employer's Union, exceeds one).

2. The members of the Society are associated for the purpose of protecting or furthering the interests of workers (or employers) in or in connection with the following specified industry (or in connection with the following divers industries) in Western Australia, namely †.....
.....
.....

3. To the best of my belief there is no Industrial Union in the same locality in which this Society exists and connected with the aforesaid industry or industries, or any of them, to which the members or the bulk of the members of this Society may conveniently belong.

4. The locality in respect of which this registration is sought is.....
.....and the registered office of the society is at.....
.....

5. The matters hereinafter mentioned are provided for in the Rules of the Society, as follow, that is to say:—

- (1) The name of the Society, in Rule No.....
- (2) The registered office of the Society, at which place the business shall be conducted in Rule No.....
- (3) The whole of the purposes for which the Society is formed, in Rule No.....
- (4) The appointment and removal of a Committee of Management (by the name of.....), in Rule No....., and the powers and duties of the said Committee, in Rule No.....
- (5) The appointment and removal, and powers and duties of a trustee or trustees (if any), in Rule No.....
- (6) The appointment of a Chairman, in Rule No.....; the appointment of a Secretary, in Rule No.....; and the appointment of a Treasurer, in Rule No.....
- (7) The appointment of other officers, in Rule No.....

* The name of the Society must contain the words "Union of Employers" or "Union of Workers," and the locality in which the majority of its members reside or exercise their calling.

† Insert the industry or industries in which the members are engaged.

[Page 2]

- (8) The supplying of any vacancy occurring in each of the positions or offices included in subclauses (4) to (7) above inclusive, by death, resignation, or other cause, in Rules Nos.....
- (9) The powers, duties, and removal of the Chairman, in Rule No.; of the Secretary, in Rule No.; of the Treasurer, in Rule No.; and of other officers, in Rules Nos.....
- (10) The manner of calling general or special meetings, in Rule No., and the quorum thereat, in Rule No.
- (11) The manner of voting at general or special meetings, in Rule No.
- (12) The manner of amending, repealing and altering the rules, and the making of additional rules, in Rule No.
- (13) The mode in which industrial agreements and all deeds and instruments shall be made and executed on behalf of the Society, in Rule No., and the manner in which the Society shall be represented in proceedings before the Court and the Commission, in Rule No.
- (14) The device, custody, and use of the seal of the Society, in Rule No.
- (15) The control of the property belonging to the Society, in Rule No.
- (16) The investment of the funds, in Rule No.
- (17) The keeping of the accounts, in Rule No.
- (18) The audit of the accounts at least once every year, in Rule No.
- (19) The inspection of the books and register of members of the Society by every person having an interest in the funds of the Society, in Rule No.
- (20) The keeping by the Society of a register of the members, in Rule No.; the purging of such register by striking off members in arrears of dues for not exceeding 12 months, in Rule No.; and that such members when struck off, shall not be free from arrears due, in Rule No.
- (21) The mode in which and the terms and qualifications on which persons shall become or cease to be members, in Rule No.
- (22) That no person shall be a member (except in the capacity of honorary member) of the Society who is not a worker within the meaning of the Act, and is under 14 years of age, in Rule No.; (or that no person shall be a member of the Society, except in the capacity of honorary member, who is not an employer within the meaning of the Act, in Rule No.).
- (23) That no member shall discontinue his membership without giving at least three months' previous written notice to the Secretary of his intention so to do, or paying a sum equal to three months' contributions in lieu of notice, nor until such member has paid all fees, fines, levies, or other dues, payable by him to the Society under its rules, to the end of the period covered by such notice, or has obtained a clearance card duly issued in accordance with the Rules, in Rule No.
- (24) Every dispute between the Society and any of its members shall be decided as provided in Rule No.
- (25) That no part of the funds or property of the Society shall be paid or applied for, or in connection with, or to aid or assist any person engaged in any strike or lockout within Western Australia, in Rule No.

[Page 3]

- (26) That all industrial disputes in which the Society or any of its members may be concerned shall, unless settled by mutual consent, be referred for settlement pursuant to the Act, in Rule No.....
- (27) The furnishing to the Registrar by the Secretary, within one calendar month after the completion of the yearly audit of the accounts, of a duly audited statement of receipts and expenditure and balance-sheet of the assets and liabilities of the Society made up to the date of closing such accounts, in Rule No.....
- (28) Rules relating to elections for office, in Rule No.....

6. The Society has throughout the six months next preceding this date employed on an average, taken per month, not less than 15 workers (in the case of an employers' union).

7. On the.....day of....., 19....., the abovenamed Society (or council or other body or union) caused to be published a notice in the following terms convening a special general meeting of its members:—*

8. The said notice was published in the "....." newspaper, a newspaper circulating in the district in which the office of this society (or council or other body or union) is situate, and a copy of the said notice was posted in a conspicuous place outside the said office.

9. On the.....day of....., 19....., a general meeting of the said Society (or council or other body or union) specially called for the purpose duly took place in accordance with the terms of the said notice and a resolution was passed by a majority of the members of the abovenamed Society (or council or other body or union) present in person.

10. The following is a true copy of the said resolution:—

That the.....desires to be registered as an industrial union under the Industrial Arbitration Act, 1912-1963, and that the secretary (or other specified officer) be, and he is hereby directed to make application for such registration.

11. Accompanying this application are—

- (a) a list of the names of the members and officers of the Society with their addresses;
- (b) two copies of the rules of the Society;
- (c) a copy of the newspaper calling a general meeting of the Society;
- (d) a statutory declaration in Form No. 3 by an officer of the Society verifying such list, copies of the rules and copy of resolution.

12. (a) It is desired that the limitation of the purposes of the Society to a specified industry shall not apply to the applicant Society.

(b) The right of membership in the applicant Society is limited to persons whose interests in regard to industrial matters are in the main identical or of a kindred nature (or whose vocations have characteristics in common or whose interests are of like composite character).

†.....
Chairman or President.

†.....
Secretary.

Dated this.....day of....., 19.....

This application was lodged at my office on the.....day of.....
19.....

.....
Registrar.

* Here copy out notice which must distinctly specify the time, place and object of the meeting.

† Signature of at least one officer of the society.

Form 2 (Regs. 5 and 15).
Industrial Arbitration Act, 1912-1963.

LIST OF OFFICERS AND MEMBERS OF SOCIETY
(OR INDUSTRIAL UNION).

Name of Industrial Union.....
.....

To the Registrar.

The following is a complete list of the Officers and Members, with their
addresses, of the abovenamed Society (or Industrial Union) as at the.....
day of.....19.....

	Name.	Address.
Chairman
Vice-Chairman
Treasurer
Secretary
Trustee
”
”
”
Other Officers
” ”
” ”
” ”
” ”

[See Over].

[Page 2]

	Name.	Address.
Member
”
”
”
”
”
”

N.B.—Additional names of members can be supplied on a supporting sheet.
Signature of Secretary.....
Received at my office, this.....day of.....19.....
.....Registrar.

Form 3 (Regs. 5, 11 and 15).

Industrial Arbitration Act, 1912-1963.

DECLARATION VERIFYING DOCUMENTS ON APPLICATION FOR
CERTIFICATE FROM CERTIFYING SOLICITOR.

Name of Society (or Council or other body or Union).....

I, *,
of †, do solemnly and sincerely
declare as follows, that is to say:—

(1) That I am ‡ of the abovenamed
Society (or Council or other body or Union).

(2) That to the best of my knowledge and belief the documents accom-
panying the application for registration attached hereto are correct and
complete, and particularly that—

(a) The list in Form No. 2 discloses the correct names and addresses
of all the officers, trustees, and members of the abovenamed
Society (or other body, or proposed new Union);

(or in the case of a Council or other body applying for regis-
tration as an industrial association)—

The lists contained in Form No. 8 accompanying this application
disclose a true statement of—

(i) the names of the officers of the Council (or other body)
with their addresses;

(ii) the names of the industrial unions represented on the
said Council (or other body); and

(iii) the names and addresses of the members of the Council
(or other body) representing such unions.

(b) The two copies of rules are true copies of the rules duly passed
by the Society (Council or other body, or proposed new Union).

(c) The resolution desiring registration was duly passed by the
Society (Council or other body or proposed new Union).

And I make this solemn declaration by virtue of section 106 of the Evidence
Act, 1906.

Declared at
in the State of Western Australia, this
.....day of19.....

before me—

J.P. (or Registrar or Commissioner
for Declarations).

Received at my office this day of19.....

Registrar.

* Name in full. † Address and occupation. ‡ Chairman, Secretary, or other Officer.
§ Signature.

Form 4 (Reg. 8).

Industrial Arbitration Act, 1912-1963.

APPLICATION TO REGISTER A COMPANY UNDER THE ABOVENAMED ACT.

Name of Company.....

To the Registrar.

1. Application to register a Company as an Industrial Union of Employers under the abovenamed Act, under the above name, is made under the seal of the Company, and pursuant to a resolution of the Board of Directors, by the manager or other principal executive officer thereof in Western Australia, whose name is subscribed at the foot hereof.

2. The Company is incorporated under the "Companies Act, 1961" (or is a foreign Company within the meaning of the "Companies Act, 1961").

3. The memorandum, articles of association, or rules of the Company do not expressly forbid the registration of the Company as an Industrial Union of Employers.

4. The address of the registered office of the Company in Western Australia is

5. On the day of 19....., at a meeting of the Board of Directors of the abovenamed Company duly convened and held in accordance with the articles of association or rules of the Company, the following resolution was passed:—

That this Company be registered as an industrial union of employers under the Industrial Arbitration Act, 1912-1963, and that the manager (or other principal executive officer, or the secretary) thereof in Western Australia be and he is hereby authorised and directed to make application for such registration.

(or as the case may be)

.....

6. With this application are sent:—

- (a) A certified copy of the certificate of incorporation (or other evidence satisfactory to the Registrar of the incorporation or registration of the Company).
- (b) Two copies of the memorandum and articles of association (if any) or rules of the Company.
- (c) A list containing the names of the directors and of the manager or other principal executive officer of the Company in Western Australia.
- (d) A statutory declaration by the applicant verifying such list, copies of memorandum and articles of association, or rules and copy of resolution.

Dated this day of 19.....

[Seal of Company.]

.....
 Manager (or other Principal Executive
 Officer in Western Australia).

Postal Address of Company.....

This application was lodged at my office this day
 of 19.....

.....
 Registrar.

Form 5 (Reg. 9.)

Industrial Arbitration Act, 1912-1963.

LIST OF THE NAMES OF THE DIRECTORS AND MANAGER IN W.A.
OF A COMPANY.

Name of Company.....

To the Registrar.

The following is a complete list of the names of the Directors and of the Manager or other principal executive officer in Western Australia, with their addresses, of the abovenamed Company, as at the.....day of19.....:—

	Name	Address.
Director
"
"
Manager or other Principal Executive Officer in W.A.

.....
Signature of Secretary or Manager.

Received at my office this.....day of.....19.....

.....
Registrar.

Form 6 (Reg. 9.)

Industrial Arbitration Act, 1912-1963.

DECLARATION ON APPLICATION FOR REGISTRATION OF A COMPANY

Name of Company.....

I, *.....
of †.....
do solemnly and sincerely declare as follows, that is to say:—

(1) That I am ‡.....in Western Australia of the abovenamed.....

(2) That to the best of my knowledge and belief the documents accompanying the application for registration attached hereto are correct and complete, and particularly that:—

- (a) The resolution desiring registration accompanying the application for registration of the Company as an Industrial Union of Employers was duly passed by the Board of Directors of the Company.
- (b) The two copies of the Memorandum and Articles of Association (if any) are true copies of the existing Memorandum and Articles of Association respectively of the Company.
- (c) The list in Form No. 5 discloses the correct names and addresses of the Directors and of the Manager or other principal executive officer of the Company in Western Australia.
- (d) The statements contained in paragraphs 2, 3, 4 and 5 of the application forwarded herewith are true in every particular.

And I make this solemn declaration by virtue of Section 106 of the Evidence Act, 1906.

Declared at....., in
the State of Western Australia, this
.....day of....., 19....., } \$.....
before me,
J.P. (or Registrar or Commissioner
for Declarations).
Received at my office this.....day of.....19.....
Registrar.

* Name in full. † Address and occupation. ‡ Manager or other Principal Executive Officer or Secretary. § Signature.

Form 7 (Reg. 10).
Industrial Arbitration Act, 1912-1963.
APPLICATION BY A COUNCIL (OR OTHER BODY) FOR A
CERTIFICATE FROM THE CERTIFYING SOLICITOR*

Name of Council (or Body).....

To the Registrar.

APPLICATION for a certificate from the certifying solicitor that the rules of the abovenamed Council (or other body) comply with the Act and that the purposes of that Council (or other body) are lawful, is made by an officer of that Council (or other body) whose name is subscribed hereunder.

1. The Council (or Body) represents not less than two Industrial Unions of Employers (or Workers).
2. The registered office of the Association is at.....
3. The matters hereinafter mentioned are provided for in the Rules of the Council (or body), as follow, that is to say:—

(1) The name of the Council (or body) in Rule No.

(2) The registered office of the Council (or body) at which place the business shall be conducted, in Rule No.

(3) The whole of the purposes for which the Council (or body) is formed, in Rule No.....

(4) The appointment and removal of a Committee of Management (by the name of.....), in Rule No....., and the powers and duties of the said Committee, in Rule No.....

(5) The appointment and removal and powers and duties of a trustee or trustees (if any), in Rule No.....

(6) The appointment of a Chairman, in Rule No.....; the appointment of a Secretary, in Rule No.....; and the appointment of a Treasurer, in Rule No.....

(7) The appointment of other officers, in Rule No.....

(8) The supplying of any vacancy occurring in each of the positions or offices included in Subclauses (4) to (7) above, inclusive, by death, resignation or other cause, in Rules Nos.....

(9) The powers, duties, and removal of the Chairman, in Rule No.....; of the Secretary, in Rule No.....; of the Treasurer, in Rule No.....; and of other officers, in Rules Nos.....

(10) The manner of calling General or Special Meetings, in Rule No. and the quorum thereat, in Rule No.....

(11) The manner of voting at General or Special Meetings, in Rule No.....

- (12) The manner of amending, repealing, and altering the rules, and the making of additional rules, in Rule No.....
- (13) The mode in which industrial agreements and all deeds and instruments shall be made and executed on behalf of the Council (or body), in Rule No., and the manner in which the Council (or body) shall be represented in proceedings before the Court and the Commission in Rule No.
- (14) The device, custody, and use of the Seal of the Council (or body) in Rule No.....
- (15) The control of the property belonging to the Council (or body), in Rule No.....
- (16) The investment of the funds, in Rule No.....
- (17) The keeping of the accounts, in Rule No.....
- (18) The audit of the accounts at least once every year, in Rule No.....
- (19) The inspection of the books of the Council (or body) and register of members by any person authorised in that behalf by an Industrial Union represented on the Council (or body), in Rule No.....

[Page 2]

- (20) The keeping by the Council (or body) of a register of the Industrial Unions represented thereon and of the members of the Council (or body) respectively representing such Unions, in Rule No....., the purging of such register by striking off Unions and members in arrears of dues for not exceeding 12 months, in Rule No....., and that such Unions and members when struck off shall not be free from arrears due, in Rule No.....
 - (21) The mode in which and the terms and qualifications on which such Industrial Unions shall be entitled to be or cease to be so represented, in Rule No.....
 - (22) That every dispute between the Council (or body) and any Union represented thereon shall be decided in the manner directed by Rule No.....
 - (23) That no part of the funds or property of the Council (or body) shall be paid or applied for or in connection with or to aid or assist any person or persons engaged in any strike or lock-out within Western Australia, in Rule No.....
 - (24) That all industrial disputes in which the Council (or body) or any of its members may be concerned shall, unless settled by mutual consent, be referred for settlement pursuant to the Act, in Rule No.....
 - (25) The furnishing to the Registrar by the Secretary, within one calendar month after the completion of the yearly audit of the accounts, of a duly audited statement of receipts and expenditure and balance sheet of the assets and liabilities of the Council (or body) made up to the date of closing such accounts, in Rule No.....
 - (26) Rules relating to elections for office, in Rules Nos.....
4. (a) On the.....day of.....19....., the abovenamed Council (or body) caused to be published a notice in the following terms convening a special general meeting of its members†:—
-
- (b) The said notice was published in the "....." newspaper, a newspaper circulating in the district in which the office of this Council (or body) is situate, and a copy of the said notice was posted in a conspicuous place outside the said office.
- (c) On theday of.....19....., a general meeting of the said Council (or body) specially called for the purpose, duly took place in accordance with the terms of the said notice, and a resolution was passed by a majority of the members of the abovenamed Council (or body) present in person.
- (d) The following is a true copy of the said resolution:—
- That the.....desires to be registered as an industrial association under the Industrial Arbitration Act, 1912-1963, and that the Secretary (or other specified officer) be, and he is hereby directed to make application for such registration.

5. With this application are sent:—
- (a) A list in Form No. 8 of the Schedule hereto of the names of the Industrial Unions represented on the Council (or body), and of the members and officers of the Council (or body) with their addresses.
 - (b) Two copies of the Rules of the Council (or body).
 - (c) A copy of the newspaper calling a general meeting of the Council (or body).
 - (d) A statutory declaration in Form No. 3 by an officer of the Council (or body) verifying such list, copies of rules, and copy of resolution.

‡1..... ‡2.....
Chairman or President. Secretary.
Postal address of Secretary.....
Dated this.....day of.....19.....
This application was lodged at my office this.....day of
.....19.....
Registrar.

* This form is to be used when applying for registration of any "Council or other Body" included under section 33 of the Act.
† Here copy out notice which must distinctly specify the time, place and object of the meeting.
‡ Signature of at least one officer of the Council (or body).

Form 8 (Reg. 11).
Industrial Arbitration Act, 1912-1963.
LIST OF THE INDUSTRIAL UNIONS REPRESENTED ON, AND OF THE OFFICERS AND THE REPRESENTATIVES OF AN INDUSTRIAL ASSOCIATION OR COUNCIL.
Name of Industrial Association (or Council or other Body).....

To the Registrar:
The following is a complete list of the officers with their addresses, of the abovenamed association (or council or other body) and of the industrial unions which are represented on the abovenamed association (or council or other body), and of the members of the association (or council or other body) representing such unions as at the.....day of.....19.....

Officers, etc.	Name.	Address.
Chairman
Vice-Chairman
Treasurer
Secretary
Trustee
Trustee
Trustee
Other Officers
Other Officers
Other Officers

The industrial unions which are represented on the abovenamed association (or council or other body) are as follows:—

Industrial Union.	Member Representing Union on Council.	Address of Member.

Received at my office this.....day of..... 19.....
Signature of Secretary.
Registrar.

Form 9 (Reg. 14).
Industrial Arbitration Act, 1912-1963.
AMALGAMATION OF UNIONS
APPLICATION FOR CERTIFICATE FROM THE CERTIFYING SOLICITOR
Name of Proposed New Union.....

To the Registrar.
Application for a certificate from the certifying solicitor that the rules of the proposed new union comply with the Act and that its purposes are lawful, is made on behalf of the industrial unions seeking amalgamation.

1. The applicant unions consist of workers (or employers) engaged in the same industry (or in related industries).

2. The members of each of the applicant unions are associated for the purpose of protecting or furthering the interests of workers (or employers) in connection with the following specified industry in Western Australia, namely.....(Or in connection with the following related industries in the State, namely.....)

3. The locality over which the proposed new union (hereinafter referred to as "the Society") will have its scope is.....

4. (a) On the.....day of.....19....., the abovenamed society (or council or other body or union) caused to be published a notice in the following terms convening a special general meeting of its members* :—

(b) The said notice was published in the "....." newspaper, a newspaper circulating in the district in which the office of this society (or council or other body or union) is situate, and a copy of the said notice was posted in a conspicuous place outside the said office.

(c) On the.....day of..... 19....., a general meeting of the said society (or council or other body or union) specially called for the purpose duly took place in accordance with the terms of the said notice and a resolution was passed by a majority of the members of the abovenamed society (or council or other body or union) present in person.

(d) The following is a true copy of the said resolution:—
That this union authorises and approves of—
(i) an amalgamation being effected between itself and the..... union of workers (employers) the new union so created to be known as.....;
(ii) the rules of the said new union as submitted to and marked by the chairman and secretary of this union; and

* Here copy out notice which must distinctly specify the time, place, and object of the meeting.

(iii) that.....be and he is hereby authorised and empowered on behalf of this union to take all necessary steps and do all things requisite to secure the due registration of the new union created as aforesaid under the Industrial Arbitration Act, 1912-1963.

5. The registered office of the society is at.....

6. The matters hereinafter mentioned are provided for in the Rules of the Society as follows, that is to say:—

- (1) The name of the society, in Rule No.....
- (2) The registered office of the Society at which place the business shall be conducted, in Rule No.....
- (3) The whole of the purposes for which the Society is formed, in Rule No.....
- (4) The appointment and removal of a Committee of Management (by the name of.....), in Rule No.....and the powers and duties of the said Committee, in Rule No.....
- (5) The appointment and removal, and powers and duties of a trustee or trustees (if any), in Rule No.....
- (6) The appointment of a Chairman, in Rule No.....; the appointment of a Secretary, in Rule No.....; and the appointment of a Treasurer, in Rule No.....
- (7) The appointment of other officers, in Rule No.....
- (8) The supplying of any vacancy occurring in each of the positions or offices included in subclauses (4) to (7) above, inclusive, by death, resignation, or other cause, in Rules Nos.....
- (9) The powers, duties and removal of the Chairman, in Rule No.....; of the Secretary, in Rule No.....of the Treasurer, in Rule No.....; and of other officers, in Rules Nos.....
- (10) The manner of calling general or special meetings, in Rule No....., and the quorum thereat, in Rule No.....
- (11) The manner of voting at general or special meetings, in Rule No.....
- (12) The manner of amending, repealing, and altering the rules, and the making of additional rules, in Rule No.....
- (13) The mode in which industrial agreements and all deeds and instruments shall be made and executed on behalf of the Society, in Rule No.....; and the manner in which the Society shall be represented in proceedings before the Court of the Commission in Rule No.....
- (14) The device, custody, and use of the seal of the Society, in Rule No.....
- (15) The control of the property belonging to the Society, in Rule No.....
- (16) The investment of the funds in Rule No.....
- (17) The keeping of the accounts, in Rule No.....
- (18) The audit of the accounts at least once every year, in Rule No.....
- (19) The inspection of the books and register of the members of the Society by every person having an interest in the funds of the Society, in Rule No.....
- (20) The keeping by the Society of a register of the members, in Rule No.....; the purging of such register by striking off members in arrears of dues for not exceeding 12 months, in Rule No....., and that such members when struck off shall not be free from arrears, in Rule No.....
- (21) The mode in which and the terms and qualifications on which persons shall become or cease to be members, in Rule No.....

[Page 3]

- (22) That no person shall be a member (except in the capacity of honorary member) of the Society who is not a worker within the meaning of the Act or is under 14 years of age, in Rule No.....; or that no person shall be a member of the Society (except in the capacity of honorary member) who is not an employer within the meaning of the Act, in Rule No.....
 - (23) That no member shall discontinue his membership without giving at least three months' previous written notice to the Secretary of his intention so to do, or paying a sum equal to three months' contributions in lieu of notice, nor until such member has paid all fees, fines, levies, or other dues payable by him to the Society under its rules, or to the end of the period covered by such notice, or has obtained a clearance card duly issued in accordance with the rules, in Rule No.....
 - (24) Every dispute between the Society and any of its members shall be decided as by Rule No.....
 - (25) That no part of the funds or property of the Society shall be paid or applied for, or in connection with, or to aid or assist, or for the benefit of any person engaged in any strike or lockout within Western Australia, in Rule No.....
 - (26) That all industrial disputes in which the Society or any of its members may be concerned shall, unless settled by mutual consent, be referred for settlement pursuant to the Act, in Rule No.....
 - (27) The furnishing to the Registrar by the Secretary within one calendar month after the completion of the yearly audit of the accounts, of a duly audited statement of receipts and expenditure and balance sheet of the assets and liabilities of the Society made up to the date of closing such accounts, in Rule No.....
 - (28) Rules relating to elections for office, in Rules Nos.....
7. Accompanying this application are—
- (a) A list showing the names of the members, officers, and trustees (if any) of the Society;
 - (b) Two copies of the rules of the Society;
 - (c) A copy of the newspaper calling a general meeting of the Society;
 - (d) A statutory declaration in Form No. 3 verifying the documents mentioned in subclauses (a), (b), and (c) hereof.

Dated this..... day of..... 19.....

For and on behalf of the.....Union.

.....
Chairman.

.....
Secretary.

For and on behalf of the.....Union.

.....
Chairman.

.....
Secretary.

Received at my office this..... day of..... 19.....

.....
Registrar.

Form 10 (Reg. 24).

Industrial Arbitration Act, 1912-1963.

CERTIFICATION OF REGISTRATION AND INCORPORATION.

I hereby certify that the Society called the.....
.....
whose registered office is at.....
.....
has this day been duly registered and incorporated as an industrial union of
workers/employers under the Industrial Arbitration Act, 1912-1963.
Given under my hand this.....day of.....19.....

Registrar.

Form 11 (Reg. 24).

Industrial Arbitration Act, 1912-1963.

CERTIFICATE OF REGISTRATION AND INCORPORATION

I hereby certify that the industrial unions of workers (or employers)
formerly registered under the names (1)
(2)
.....
have this day, in pursuance of an application duly made on behalf of the said
industrial unions, been registered as one industrial union under the name
and title of.....
.....
The new union is registered in respect of the.....
.....district (or locality) and the registra-
tions of the aforementioned unions, namely (1).....
(2)
shall be deemed to have been cancelled as from this date.
Given under my hand this.....day of.....19.....

Registrar.

Form 12 (Reg. 24).

Industrial Arbitration Act, 1912-1963.

CERTIFICATE OF ADDRESS OF REGISTERED OFFICE.

I hereby certify that the address of the office of the.....
.....
as registered with me is situate at.....
Given under my hand this.....day of....., 19.....

Registrar.

Form 13 Reg. 18).

Industrial Arbitration Act, 1912-1963.

APPLICATION TO AMEND RULES.

Name of Industrial Union.....
.....
To the Commission in Court Session.

1. Application is made for an amendment of rules of the abovenamed in-
dustrial union by the person whose name is subscribed hereunder. The applica-
tion relates solely to the qualification of persons for membership of the union
or the area of operation or industry or calling in respect of which the union is
registered.

2. On the.....day of.....19... , the abovenamed industrial union caused to be published a notice in the following terms convening a general meeting of its members:—

.....
The said notice was published in the “.....” newspaper, a newspaper circulating in the district in which the office of the industrial union is situate and a copy of the said notice was posted in a conspicuous place outside the said office.

3. On the.....day of.....19... , a general meeting of the said industrial union specially called for the purpose duly took place in accordance with the terms of the said notice and the resolution(s) referred to in the succeeding paragraph hereof was/were passed by the necessary majority (required by the Rules) of members of the abovenamed industrial union present in person.

4. Annexed hereto—marked with the letter “A”—signed by me for identification is a true copy of the resolution(s) passed at the said general meeting amending the rules of the abovenamed industrial union and authorising this application.

5. With this application are forwarded—
- (a) Three copies of the registered Rules showing in distinctive characters the amendments of which registration is sought.
 - (b) Three printed copies of the amendment.
 - (c) A copy of the newspaper containing the advertisement calling the general meeting of the industrial union.
 - (d) A statutory declaration by the secretary of the industrial union verifying this application.

Dated this.....day of.....19...
(Seal).....Signature.
(Title)

Received at my office this.....day of.....19...
.....
Registrar.

Form 14 (Reg. 19).
Industrial Arbitration Act, 1912-1963.
APPLICATION FOR CERTIFICATE FROM CERTIFYING SOLICITOR.
Name of Industrial Union.....

To the Registrar.

1. Application for a certificate from the certifying solicitor that an amendment of the rules of the abovenamed industrial union is made by the person whose name is subscribed hereunder. The application does not relate solely to the qualification of persons for membership of the union or the area of operation or industry or calling in respect of which the union is registered.

2. On the.....day of.....19... , the abovenamed industrial union caused to be published a notice in the following terms convening a general meeting of its members:—

.....
The said notice was published in the “.....” newspaper, a newspaper circulating in the district in which the office of the industrial union is situate and a copy of the said notice was posted in a conspicuous place outside the said office.

3. On the.....day of.....19... , a general meeting of the said industrial union specially called for the purpose duly took place in accordance with the terms of the said notice and the resolution(s) referred to in the succeeding paragraph hereof was/were passed by the necessary majority (required by the Rules) of members of the abovenamed industrial union present in person.

4. Annexed hereto—marked with the letter “A”—signed by me for identification is a true copy of the resolution(s) passed at the said general meeting amending the rules of the abovenamed industrial union and authorising this application.

5. With this application are forwarded—
- (a) Three copies of the registered rules showing in distinctive characters the amendments of which registration is sought.
 - (b) Three printed copies of the amendment.
 - (c) A copy of the newspaper containing the advertisement calling the general meeting of the industrial union.
 - (d) A statutory declaration by the secretary of the industrial union verifying this application.

Dated this.....day of.....19....
(Seal)Signature.
.....(Title.)
Received at my office this.....day of.....19....
.....Registrar.

Form 15 (Regs. 18 and 19).
Industrial Arbitration Act, 1912-1963.

DECLARATION VERIFYING APPLICATION FOR AMENDMENT OF RULES.
Name of Industrial Union.....

I,
of
do solemnly and sincerely declare as follows:—

- (1) That I am the Secretary of the abovenamed Industrial Union.
- (2) That the statements contained in paragraphs (2) and (3) of the application attached hereto are true and correct.
- (3) That the documents attached to and accompanying the said application are correct and complete.

And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at.....
in the State of Western Australia,
this.....day of.....19....
before me—
J.P. (or Registrar or Commissioner
for Declarations). }

Form 16 (Reg. 24).
Industrial Arbitration Act, 1912-1963.

MEMORANDUM OF REGISTRATION OF AMENDMENT OF RULES.
I hereby certify that the annexed amendment of rules of the.....
has this day been duly registered at my office under the provisions of the Industrial Arbitration Act, 1912-1963.

Given under my hand this.....day of.....19....
.....Registrar.

Form 17 (Reg. 21).
Industrial Arbitration Act, 1912-1963.
NOTICE OF OBJECTION—GENERAL FORM.

Name of Objector.....
The abovenamed objector hereby objects to.....
.....
(set out matter objected to)
on the following grounds.....
.....
(set out grounds of objection)
Dated this..... day of..... 19.....
.....
Objector.
Filed in my office this..... day of..... 19.....
.....
Registrar.

Form 18 (Reg. 25).
Industrial Arbitration Act, 1912-1963.
APPLICATION FOR REGISTRATION OF BRANCH OFFICE.
Name of Industrial Union.....

To the Registrar.
Application is hereby made that, in addition to the Registered Office of
the abovenamed Industrial Union, situated at....., the
following Branch Office of the said Union, situated at....., may
be registered, viz.:—
.....
Dated this..... day of..... 19.....
.....
President (or Secretary).
Address of Branch Office registered this..... day of..... 19.....
.....
Registrar.

Form 19 (Reg. 26).
Industrial Arbitration Act, 1912-1963.
NOTICE OF CHANGE OF REGISTERED OFFICE.
Name of Union (or Association).....

To the Registrar.
Notice is hereby given that the address of the Registered Office (or Branch
Office) of the abovenamed Industrial Union is changed from.....
.....and is now.....
Dated this..... day of..... 19.....
.....
Secretary.
Registered this..... day of..... 19.....
.....
Registrar.

Form 20 (Reg. 27).

Industrial Arbitration Act, 1912-1963.

STATEMENT OF PARTICULARS OF ALTERATIONS IN REGISTER OF MEMBERS OF AN INDUSTRIAL UNION.

Name of Industrial Union.....

I, of

Secretary of the abovenamed Industrial Union hereby certify that the following is a true statement giving, in respect of the period of three months ending on 19....., particulars of the alterations made in the register of members of the said Industrial Union.

1. Particulars of new members:—
NamePostal Address

2. Particulars of persons ceasing to be members:—
NameDate on which membership ceased

3. Particulars of other alterations in the register of members:—
Dated at.....this.....day of.....19.....

.....Signature.

Filed at my office this.....day of.....19.....

.....Registrar.

N.B.—Attach separate lists in cases where insufficient space is available.

Form 21 (Reg. 27).

Industrial Arbitration Act, 1912-1963.

DECLARATION VERIFYING RECORDS OF INDUSTRIAL UNION.

Name of Industrial Union.....

I, of

do solemnly and sincerely declare as follows:—

1. That I am the Secretary (or, President) of the abovenamed Industrial Union.

2. That annexed hereto and signed by me are true copies of the records required to be kept by the said Union under Section 25 (1) (b) of the Act.

3. That I certify that the said annexures are a correct statement of the information contained therein.

And I make this solemn declaration by virtue of Section 106 of the “Evidence Act, 1906.”

Declared at.....

in the State of Western Australia this.....

.....day of.....19.....

before me:—

.....J.P.
(or Registrar or Commissioner for Declarations).

Filed at my office this.....day of.....19.....

.....Registrar.

Form 22 (Reg. 27).

Industrial Arbitration Act, 1912-1963.

NOTICE OF CHANGE IN OFFICE OF INDUSTRIAL UNION.

Name of Industrial Union.....

To the Registrar of Industrial Unions, Perth.

I, of

Secretary of the abovenamed industrial union, hereby notify you of the following change in the holding of an office in the said union:—

Title or description of office.....

Full name of previous holder.....

Postal address.....
 Occupation.....
 Full name of present holder.....
 Postal address.....
 Occupation.....
 Date of change.....
 Dated this..... day of..... 19.....

Signature.

Filed at my office this..... day of..... 19.....

Registrar.

Form 23 (Reg. 27).

Industrial Arbitration Act, 1912-1963.

CERTIFICATE OF EXEMPTION OF INDUSTRIAL UNION.

Name of Industrial Union.....

I, of
 Registrar of Industrial Unions, do hereby exempt the abovenamed Industrial Union from the application of the provisions of Subsections (2), (3) and (6) of Section 25 of the Act. This certificate shall remain in force until cancelled by me under Subsection (3) of Section 26 of the Act.

Dated at Perth this..... day of..... 19.....

Registrar.

Form 24 (Reg. 28).

Industrial Arbitration Act, 1912-1963.

STATEMENT OF RECEIPTS AND EXPENDITURE FOR THE YEAR ENDED 19....., AND BALANCE SHEET OF THE ASSETS AND LIABILITIES AS AT....., 19....., OF THE (name of Union).

Certificate of Secretary.

I, the Secretary of the abovenamed Industrial Union, hereby certify:—

- (a) That this statement is, in every particular, to the best of my knowledge and belief, correct and complete.
- (b) That the Auditor who has signed this statement was duly appointed in accordance with the rules.
- (c) That all securities, deeds, documents, books, papers and accounts of the Union were placed at the disposal of the Auditor.

Date....., 19.....

Secretary.

Address.....

Certificate of Auditor(s).

I/We hereby certify:—

- (a) That the securities, deeds and bank account of the abovenamed Union have been inspected.
- (b) That the books, papers, vouchers and accounts have been examined.
- (c) That the Statement of Receipts and Payments and the Balance Sheet have been examined and verified with the aforesaid securities, deeds, bank account, books, papers, vouchers and accounts and found to be correct.
- (d) That the said statement of Receipts and Payments and the Balance Sheet have been properly drawn up so as to exhibit the true and complete state of the affairs of the Union as at....., 19.....

Auditor/s.

(To be sent to the Registrar of Industrial Unions, Perth, within one calendar month after the completion of the Yearly Audit of the Accounts.)

[Page 2]

(a) Statement of Receipts and Payments for the Year
Ended....., 19.....

Receipts.			Payments.		
£ s. d.			£ s. d.		
Members—			Salaries—		
Entrance Fees	....	....	Secretary	....	....
Contributions	....	....	Others (give list)	....	....
Levies	....	....	Management—		
Fines	....	....	Delegates' fees	....	....
Donations	....	....	Capitation dues (state to whom)	....	....
Interest—			Printing Stationery	....	....
Bank	....	....	Postages	....	....
Commonwealth Loans	....	....	Advertising	....	....
Other investments (give list)	....	....	Rent	....	....
Other Receipts—			Rates and Taxes	....	....
Rentals or Hire of Premises	....	....	Legal Expenses	....	....
Socials or Picnics	....	....	Arbitration Expenses	....	....
			Interest	....	....
			Bank Charges	....	....
			Auditor's Fee	....	....
			Committee's Expenses	....	....
			Insurances	....	....
			Other Payments—		
			Donations	....	....
			Socials or Picnics	....	....
			Repairs to Plant or Buildings	....	....
			Purchase of Plant, Property, goods (give list)	....	....
Balance (if any) transferred to General Fund	....	....	Balance (if any) transferred to General Fund	....	....

(b) Balance Sheet as at....., 19.....
Liabilities. Assets.

£ s. d.			£ s. d.		
Mortgages (if any) (show amounts to whom owing and rate of interest)			Cash in Bank (state name of Bank)		
			On fixed deposit, £.....	....	....
			On current account, £.....	....	....
Debentures (state amount owing and rate of interest)			Cash in Hand (Secretary, Treasurer, others)		
			Investments (annex a schedule, giving full particulars)	....	....
Other Liabilities (give particulars)			Land (give particulars of title, i.e., loc., vol., fol., etc.)	....	....
			Buildings (give particulars)	....	....
Contributions paid in advance			Office Furniture (give list at cost price less depreciation)	....	....
Bank Overdraft (if any)			Vehicles (at cost, less depreciation)	....	....
General Fund of Union (exclude Death Benefit Fund, where separately kept)			Contributions in arrears	....	....
			Other Assets (give particulars)	....	....

Form 25 (Reg. 29).

Industrial Arbitration Act, 1912-1963.

In The Western Australian Industrial Commission

No. of 19.....

APPLICATION FOR CONSENT TO CHANGE NAME

Name of Applicant Union.....

To the Commission in Court Session

Application is hereby made to the Commission in Court Session on behalf of the abovenamed Industrial Union for the consent of the Commission in Court Session to the said Union's proposal to change its name to "....."

(1) The applicant Union was duly registered under its present title as an Industrial Union of Workers (or Employers) on the day of 19.....

(2) The Registrar's Certificate of such registration is lodged herewith.

(3) At a meeting of the said Union duly convened and held at on the day of 19....., a resolution was passed by a majority of the members present, in the following terms:—

"That the name of this Union be changed so as to read '.....', and that the Secretary of the Union or other specified person be, and he is hereby authorised and empowered to sign all documents and to do everything necessary to obtain the consent of the Commission in Court Session to the said change of name."

(4) Attached hereto is a copy of the "....." newspaper issued on the day of 19....., a newspaper circulating in the City (town or locality) of where the head office of the applicant Union is situated.

(5) On page of the said newspaper can be found a notice in terms which have been approved of by the Registrar, intimating the intention of the applicant Union to make the said application.

(6) A statutory declaration in the prescribed form is also lodged herewith.

Dated this day of 19.....

For and on behalf of

Secretary (or person authorised in resolution).

Filed in my office this day of 19.....

Registrar.

Form 26 (Reg. 29).

Industrial Arbitration Act, 1912-1963.

DECLARATION VERIFYING APPLICATION FOR CONSENT TO CHANGE NAME

Name of Union.....

I, *,

of †, do solemnly and sincerely declare as follows, that is to say:—

(1) That I am ‡ of the abovenamed Union.

(2) That the resolution set forth in Clause 3 of the accompanying application produced to me at the time of making this declaration was passed at a meeting of the said Union duly convened and held at on the day of 19.....

(3) That notice of intention to make this application in terms approved by the Registrar was published in the "....." newspaper, which circulates in....., that being the City (town or locality) in which the Head Office of the applicant Union is situated.

And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at.....

this.....day of.....

19..... Before me—

J.P. (or Registrar, or Commissioner
for Declarations).

}

§.....

* Name in full, † Address and Occupation, ‡ Secretary, President, or other Officer, § Signature.

Form 27 (Reg. 32).

Industrial Arbitration Act, 1912-1963.

CERTIFICATE OF REGISTRATION OF CHANGE OF NAME

I hereby certify that on the.....day of.....
19....., on the hearing of an application duly made on behalf of the industrial union formerly registered under the title of.....
.....
.....
the Commission in Court Session consented to the name of the said union being altered to read, and the said name is accordingly now registered in my Register as.....
.....
.....

Dated this.....day of....., 19.....
.....
Registrar.

Form 28 (Reg. 33).

Industrial Arbitration Act, 1912-1963.

APPLICATION BY UNION, ETC., TO CANCEL REGISTRATION THEREOF UNDER SECTION 29 (1) OF ACT.

Name of Industrial Union.....
.....
To the Registrar.

1. The abovenamed Industrial Union, desires that its registration under the abovenamed Act may be cancelled on the following grounds, viz:—
.....
.....
.....
At a special general meeting duly held on the.....day of.....19....., it was resolved by a majority of the members present and entitled to vote, as follows:—"That the Secretary (or other officer) be authorised to apply to the Registrar for the cancellation of the registration of this Industrial Union, under the Industrial Arbitration Act 1912-1963."

2. The number of members whose names are at present lawfully on the register kept by the said Industrial Union is.....
3. A subsequent ballot of all the members of the said Union was taken and the result of such ballot was that the said resolution was confirmed by the votes of.....or a majority of the whole of the members of the said Union qualified to vote.

4. This application is made by the Secretary (or other officer) accordingly.
Dated this.....day of.....19.....
Secretary (or other officer).
Address of Secretary.....
Lodged at my office this.....day of.....19.....
Registrar

N.B.—This form may be used for the application to cancel registration of a branch, but in that case a certificate under the hand of the secretary of the society that its consent has been given thereto must be appended.

Form 29 (Reg. 34).
Industrial Arbitration Act, 1912-1963.
NOTICE BEFORE CANCELLATION OF REGISTRATION.
Notice is hereby given that it is the intention of the Registrar to proceed on the.....day of.....19....., to cancel the registration of the.....
under the abovenamed Act unless cause be shown to the contrary in the meantime.
The ground of such proposed cancellation is as follows:—
.....
.....
.....
Dated this.....day of.....19.....
Registrar of Industrial Unions.

Form 30 (Reg. 35).
Industrial Arbitration Act, 1912-1963.
APPLICATION TO CANCEL REGISTRATION UNDER SECTION 29 (2) OF ACT.
No.....of 19.....
To the Commission in Court Session.
Application is hereby made by (or on behalf of) the undersigned for an order directing cancellation of the registration of the industrial union registered under the name of.....
The application is based upon the following grounds, namely:—
(Set forth grounds.)
1.
2.
3.
4. etc.....
Dated this.....day of.....19.....
Signature of Applicant.
Address for Service.
Lodged at my office this.....day of.....19.....
Registrar.

Form 31 (Reg. 22).

Industrial Arbitration Act, 1912-1963.

NOTICE OF REFUSAL OF CERTIFICATE BY CERTIFYING SOLICITOR.

To: *

Take notice that the rules served by you on the Registrar on the day of 19....., do not comply with the Act but if the alterations set out hereunder are made by your Society (or union or council or other body) within six weeks of the receipt by you of this notification, I will issue a certificate pursuant to subsection (3) of section 9A of the Act.

Date.....

.....
Certifying Solicitor.

* Insert name of society, union or other body and title of officer who made the application.

Form 32 (Reg. 23).

Industrial Arbitration Act, 1912-1963.

CERTIFICATE OF CERTIFYING SOLICITOR.

I hereby certify that I have examined the rules served on the Registrar on the day of 19....., by

..... on behalf of and I am satisfied that those rules comply with the Act and that the purposes of the applicant are lawful.

.....
Certifying Solicitor.

Date.....

Form 33 (Reg. 40).

Industrial Arbitration Act, 1912-1963.

MEMORANDUM OF REGISTRATION OF INDUSTRIAL AGREEMENT.

A duplicate original of the within industrial agreement was filed in my office on the day of 19....., and was registered No. of 19..... in the Register of Industrial Agreements kept by me.

Dated this day of 19.....

.....
Registrar.

Form 34 (Reg. 41).

Industrial Arbitration Act, 1912-1963.

NOTICE OF RETIREMENT FROM INDUSTRIAL AGREEMENT.

To the Registrar,

The Western Australian Industrial Commission.

TAKE notice that the following Industrial Union, or Employer, namely

..... one of the parties to the Industrial Agreement dated the day of 19....., made between

..... and filed at your office, and numbered, and which expires (or expired) on the day of 19....., will retire from such Agreement and cease to be a party thereto at the expiration of 30 days from the date of the filing hereof.

Dated this day of 19.....

Signed on behalf of the above Industrial Union in accordance with the Rules of that Union.

(Seal)

or signed on behalf of the above Employer.

Filed this.....day of.....19.....

Registrar.

Form 35 (Reg. 43).

Industrial Arbitration Act, 1912-1963.

NOTICE OF CONCURRENCE IN INDUSTRIAL AGREEMENT.

To the Registrar, The Western Australian Industrial Commission.

TAKE notice that *....., the undersigned, hereby signify †..... concurrence as ‡.....in an industrial agreement dated the.....day of.....19....., made between..... and..... and filed at your office and numbered.....of 19..... in the Register of Industrial Agreements kept by you.

Signature.	Occupation.	Address.
.....
.....
.....

We, the undersigned, being the original parties to the said Industrial Agreement, hereby consent to the abovenamed..... becoming a party thereto.

Dated this.....day of.....19.....

Signature of original parties—.....

Filed this.....day of.....19.....

Registrar.

* I or We. † My or Our. ‡ An Employer or Employers, or an Industrial Union.

Form 36 (Reg. 45).

Industrial Arbitration Act, 1912-1963.

OATH OF OFFICE AND SECRECY.

I,, of..... make oath and say as follows:—

1. That I have, as appears by notice in the *Government Gazette* of Western Australia, of the.....day of.....19....., been appointed as a member of The Western Australian Industrial Commission under the abovenamed Act.

2. That I will faithfully and impartially perform the duties of the said office, and will not, except in the discharge of such duties, disclose to any person any evidence or other matter brought before the said Commission.

Sworn at.....in }
the State of Western Australia, this }
.....day of.....19..... }
before me }

Judge of the Supreme Court of W.A.

Form 37 (Reg. 47).
Industrial Arbitration Act, 1912-1963.
TITLE OF PROCEEDINGS.

IN THE WESTERN AUSTRALIAN INDUSTRIAL COMMISSION.
In the matter of (state matter in which the proceedings are taken).....
.....
Between.....
..... (Applicant)
and.....
..... (Respondent)

Form 38.
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission No..... of 19.....
IN THE MATTER OF.....
.....
.....

NOTICE OF MOTION.
To*....., of.....
Take notice that this Commission will be moved by.....,
acting herein on behalf of †....., on.....
the..... day of....., 19....., or so soon thereafter as he may
be heard for an order that ‡.....
.....
.....
Dated this..... day of....., 19.....
.....
..... Applicant.
Filed this..... day of....., 19.....
.....
..... Registrar.

* Name and address of Respondent.
† Name of Applicant. ‡ State nature of Application.

Form 39 (Reg. 50).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission. No..... of 19.....
Between.....
.....
.....
..... (Applicant)
and
.....
.....
..... (Respondent).

- REFERENCE OF INDUSTRIAL DISPUTE.
1. Application is hereby made to the Commission for the settlement of the matters in dispute hereinafter referred to between the abovementioned parties.
 2. The applicant is an Industrial Union of Workers (or Employers) duly registered in accordance with the provisions of the said Act.
 3. The particulars of the matters claimed are set forth in the attached schedule.

4. The applicant requests that this matter may be inquired into by the Commission sitting at.....and that an award may be made:—

- (a) operating over the.....locality, area, or district, and
 (b) having effect from the.....day of....., 19....., for a period of.....

5. The applicant Union is (or is not) represented on an Industrial Association.

Dated this.....day of....., 19.....

Applicant.

Address for service.....

Filed this.....day of....., 19.....

Registrar.

Form 40 (Regs. 50, 60 and 63).

Industrial Arbitration Act, 1912-1963.

In The Western Australian Industrial Commission.

No.....of 19.....

Between

Applicant,

and

Respondent.

CERTIFICATE ACCOMPANYING REFERENCE OF INDUSTRIAL DISPUTE
 (OR OTHER APPLICATION)

I,
 of.....(address)
(occupation), do hereby certify as follows:—

1. I am the.....of the abovenamed applicant.

2. On the.....day of.....19....., a meeting of the governing body of the applicant Union was duly held at.....at which the following resolution was submitted to and passed by a majority of the members thereof qualified to vote who were present at the said meeting:—

Insert copy
 of
 resolution.

3. The number present at the said meeting constituted a quorum of the governing body as prescribed by the Rules.

*4. The said resolution was published in the issue of the.....newspaper on the.....day of.....19....., which said newspaper circulates in the district in which the registered office of the Applicant Union is situated.

*5. A request in writing (signed by not less than ten per centum of the members of the Union) pursuant to section 107 (3) of the Act was (or was not) made to the governing body of the Union.

Dated this.....day of.....19.....

(Signature.)

Filed this.....day of.....19.....

Registrar.

* In the case of the reference of an Industrial Dispute.

[See over]

[Page 2]

I, the abovenamed....., do solemnly and sincerely declare that the facts and matters set forth in paragraphs.....are within my own knowledge and are true and correct. And I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at.....this.....day of.....19.....

(Signature.)

Before me.....

Justice of the Peace
(or Registrar, or Commissioner for Declarations).

Form 41 (Reg. 50).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.

No.....of 19.....
Between.....
.....
.....Applicant,
and.....
.....Respondent.

I,
of(address).....
.....(occupation) do hereby certify as follows:—

1. I am the.....of the abovenamed
applicant Union.
2. On the.....day of.....19....., a request
in writing signed by ten per centum of the members of the said Union was
made to the governing body thereof to submit the matter of the intended
reference to a ballot of the members.
3. Pursuant to the said request a ballot of the members was held in the
manner prescribed by Regulation.....with the following result:—
In favour of the proposed reference.....(number).
Against the proposed reference.....(number).

Dated this.....day of.....19.....

(Signature).

I, the abovenamed.....do solemnly and sincerely declare that the facts and matters set forth in paragraphs.....are within my knowledge and are true and correct: And I make this solemn declaration by virtue of Section 106 of the "Evidence Act, 1906."

Declared at.....
this.....day of.....
19.....
Before me.....
(Justice of the Peace, Registrar, or
Commissioner for Declarations.)

(Signature.)

Filed the.....day of.....19.....

Registrar.

Form 42 (Regs. 7, 20 and 52).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.
No.....of 19.....
Between
.....
Applicant,
and
.....
Respondent.

DECLARATION OF SERVICE.
I,(name), of.....
.....(address), in the State of Western Australia,.....
.....(occupation), do solemnly and sincerely declare that I
did on the.....day of.....19.....
serve upon the respondent (describe documents served)
.....
by (insert details of method and place of service).....

And I make this solemn declaration by virtue of Section 106 of the
Evidence Act, 1906.
Declared before me at.....
this.....day of.....
19.....
J.P. (or Registrar, or Commissioner
for Declarations).
Filed this.....day of.....19.....
.....
Registrar.

Form 43 (Regs. 44, 53, 64 and 66).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.
No.....of 19.....
Between
.....
Applicant,
and
.....
Respondent.

ANSWER
The Respondent, in answer to the Applicant's claim, says as follows:—
(1)
(2)
(3)
(4)

(5) The Respondent submits the following counter proposals:—
(a)
(b)
(c)
Dated this..... day of..... 19.....
(Signature and Address).....
.....
Filed this..... day of..... 19.....
..... Registrar.

Form 44 (Regs. 44, 53 and 64).
Industrial Arbitration Act, 1912-1963.
In The Western Australia Industrial Commission.
No..... of 19.....
Between
.....
Applicant,
and
.....
Respondent.

REPLY
The applicant, in reply to the counter-proposals in the respondent's answer,
says as follows:—
(1)
(2)
(3)
Dated this..... day of..... 19.....
.....
Applicant.
Filed this..... day of..... 19.....
..... Registrar.

Form 45 (Reg. 58).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.
No..... of 19.....
Between
.....
Applicant,
and
.....
Respondent.

NOTICE OF APPLICATION FOR EXTENSION OF TIME.
Take notice that on the..... day of..... 19.....,
or so soon thereafter as a hearing can be obtained, the applicant (or respondent
or the undersigned, being an intending applicant or respondent party to these
proceedings) intends to apply to the Commission for..... days,
extension of the time allowed for filing an Answer to the Reference herein
(or as the case may be).
Dated this..... day of..... 19.....
*
To
Filed this..... day of..... 19.....
(Signed)..... Registrar.

* Applicant or Respondent (or intending Applicant or Respondent).

Form 46 (Reg. 59).

Industrial Arbitration Act, 1912-1963.

In The Western Australian Industrial Commission.

No. of 19.....

Between

Applicant,

and

Respondent.

NOTICE OF HEARING.

To, one of the parties to the above dispute (or application).

Take notice that the Commission/Commission in Court Session will sit at on the day of 19....., at o'clock in the noon to hear the abovementioned matter.

Dated at this day of 19.....

Registrar.

Form 47 (Reg. 60).

Industrial Arbitration Act, 1912-1963.

In The Western Australian Industrial Commission.

No. of 19.....

In the matter of an Award made under this Act on the day of, 19....., relating to

in the locality.

and

In the matter of an application made on behalf of

to extend the operation of the said Award.

APPLICATION TO EXTEND OPERATION OF AWARD.

Name of Applicant

1. The applicant is an Industrial Union of Workers (or Employers), duly registered under the said Act, in the locality—or

The applicant is an employer (or firm of employers) carrying on business as at

2. On the day of, 19....., an Award was made under this Act prescribing the wages and general conditions of employment for workers therein mentioned. The operation of the said Award was expressly limited to the locality (or area).

3. The same class of workers is also employed at places outside the said locality (or area), to wit, at

4. The applicant hereby applies to the Commission for an order or direction extending the operation of the said Award (or extending the operation of those portions of the said Award as are comprised within clauses and thereof) so that the said Award (or the said clauses of the Award) shall have effect over the locality (or area) described or referred to in paragraph 3 hereof.

Dated this day of, 19.....

Applicant.

Address for service

Filed this day of, 19.....

Registrar.

Form 48 (Reg. 61).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.
No.....of 19.....
In the matter of an Award made under this Act on the.....
day of....., 19....., numbered....., and relating to
.....
in the.....locality.
and
In the matter of an application made on behalf of.....
.....to extend the operation of
the said Award.

NOTICE OF APPLICATION HAVING BEEN FILED.
TAKE notice that on the.....day of....., 19.....,
the abovenamed applicant caused to be filed at my office an application for
an order extending the operation of the Award referred to above.
The applicant proposes that the operation of the Award (or that the
operation of clauses.....and.....of the said Award) should be
extended so as to apply to the.....locality (or area).
The said application is open for inspection at my office by all persons
interested.
And further take notice that the Commission proposes to deal with the
application at Perth on.....day, the.....day of.....,
19....., at.....o'clock in the.....noon.
A person (or body) objecting to the making of any such order and desiring
to be heard must, two clear days before the said proposed date of hearing,
file with the Registrar and serve upon the applicant a notice in Form No. 49.
Dated this.....day of....., 19......

.....Registrar.
To.....

Form No. 49 (Reg. 62).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.
No.....of.....
IN the matter of an application made on behalf of.....
to extend the operation of an Award made under this Act on the.....
day of....., 19....., and numbered.....of.....
NOTICE OF OBJECTION TO EXTENSION OF AREA OF AWARD.
TAKE notice that on the.....day of....., 19....., I, the
undersigned, a person affected by the said application, intend to appear before
the Commission to object to the making of an Order thereunder.
Dated this.....day of....., 19......

.....
.....
.....
(Signature and Address.)
Filed this.....day of....., 19.....
.....Registrar.

Form 50 (Reg. 63).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.
No.....of 19.....
In the matter of an Award made under this Act on the.....
day of.....19....., relating to.....
.....
and operating over the.....locality.

APPLICATION FOR INTERPRETATION.

Clause..... of the Award referred to above reads as follows:—
Set out
Clause or
portion
thereof in
question. {

The following question, which has arisen under the said clause, is submitted for the interpretation of the Commission:—

Question:

Dated this..... day of..... 19.....

Applicant.

Filed this..... day of..... 19.....

Registrar.

Form 51 (Reg. 65).

Industrial Arbitration Act, 1912-1963.

APPLICATION FOR EXEMPTION FROM MEMBERSHIP OF AN INDUSTRIAL UNION.

To the Registrar,
The Western Australian Industrial Commission.

(1) I, of.....
(Full name in block letters) (Address)
in the State of Western Australia..... do hereby apply
(occupation)
for a certificate of exemption from membership of the.....
Industrial Union.

(2) I object to being a member of the union on the following grounds of conscientious belief:—

- (1)
- (2)
- (3)
- (4)

(3) In the event of a certificate of exemption being issued I agree to pay the amount required by Section 61B of the abovenamed Act.

Dated this..... day of..... 19.....

(Signature)

Lodged at my office this..... day of..... 19.....

Registrar.

Form 52 (Reg. 65).

Industrial Arbitration Act, 1912-1963.

CERTIFICATE OF EXEMPTION FROM MEMBERSHIP OF AN INDUSTRIAL UNION.

(1) I hereby certify that.....
of
in the State of Western Australia has complied with the provisions of Section 61B of the abovenamed Act.

(2) I hereby issue a certificate of exemption from membership of the.....
Industrial Union.

(3) This certificate will, unless renewed, expire at 4 p.m. on the.....
day of..... 19.....

Given under my hand this..... day of..... 19.....

Registrar.

Form 53 (Reg. 65).

Industrial Arbitration Act, 1912-1963.

RENEWAL OF CERTIFICATE OF EXEMPTION FROM MEMBERSHIP OF
AN INDUSTRIAL UNION.

I hereby certify that the certificate of exemption granted on the.....
day of.....19..... to.....
.....
of
from membership of the.....
Industrial Union has been renewed by me until 4 p.m. on the.....
day of.....19.....

Given under my hand this.....day of.....19.....
.....
Registrar.

Form 54 (Reg. 65).

Industrial Arbitration Act, 1912-1963.

REFUSAL TO GRANT EXEMPTION FROM MEMBERSHIP OF AN
INDUSTRIAL UNION.

To.....
.....
.....

You are hereby notified that I have this day refused your application
dated the.....day of.....19..... for a
certificate of exemption from membership (or renewal thereof) of the
.....Industrial Union
as I am satisfied that your objections to being a member of the Union on
the grounds of conscientious belief are not genuine.

Dated this.....day of.....19.....
.....
Registrar.

Form 55 (Reg. 68).

Industrial Arbitration Act, 1912-1963.

Before the Industrial Magistrate at.....
FEES. No.....of 19.....

Complaint .....				.....
Summons .....				.....
Service				Complainant,
Witness Summons				and
Service .....				.....
Mileage .....				.....
Receipt No.....				Defendant.

COMPLAINT.

(Breach of Award or Industrial Agreement.)

THE COMPLAINT of.....
.....of.....
in the State of Western Australia, made this.....day of
.....19....., before.....
one of Her Majesty's Justices of the Peace (or the Registrar of the Western
Australian Industrial Commission or a Clerk of Petty Sessions or Clerk of
Industrial Magistrate), who says that on the.....day of
.....19....., at.....

..... *

of †..... being a party bound
by Award (or Industrial Agreement) No..... of 19....., has committed
a breach thereof in that ‡.....

Now, therefore, the Complainant hereby applies to the Industrial Magistrate
sitting at..... for the enforcement
of the said Award (or Industrial Agreement).

Signed by or on behalf of the abovenamed Complainant.

Made before me the day and year first abovementioned at.....
..... in the said State.

Registrar of the Western Australian Industrial
Commission (or Justice of the Peace or Clerk of
Petty Sessions or Clerk to Industrial Magistrate).

* Name in full and occupation of Defendant to be stated.

† Set out full address of Defendant.

‡ Set out breach complained of.

Form 56 (Reg. 68).

Industrial Arbitration Act, 1912-1963.

Before the Industrial Magistrate at.....
..... No..... of 19.....

Complainant,

and

Defendant.

SUMMONS TO DEFENDANT.
(Breach of Award or Industrial Agreement).

To *.....
of †.....

WHEREAS a Complaint has on the..... day of.....
19....., been made before the undersigned, the Registrar of The Western
Australian Industrial Commission (or one of Her Majesty's Justices of the
Peace or a Clerk of Petty Sessions or Clerk to Industrial Magistrate) by.....

that you being a party bound by Award (or Industrial Agreement) No.....
of 19....., on the..... day of..... 19.....,
at....., committed a breach thereof
in that ‡.....

and the complainant applied for the enforcement of the said Award (or
Industrial Agreement).

These are therefore to command you in Her Majesty's name to appear
at..... on the..... day of.....
19....., at..... o'clock in the..... noon before the Industrial
Magistrate to answer the said Complaint and to be further dealt with accord-
ing to law.

Given under my hand at.....this.....
day of.....19.....

Registrar of The Western Australian Industrial
Commission (or Justice of the Peace or Clerk
of Petty Sessions or Clerk to Industrial
Magistrate).

* Name in full and occupation of Defendant to be stated.
† Set out full address of Defendant.
‡ Set out breach complained of.

[Page 2]
INDORSEMENT OF SERVICE.

On the.....day of.....19....., at
....., I served the withinnamed
.....with the within Summons
by delivering a duplicate of it to him personally (or by leaving a duplicate
of it for him with.....at.....
....., his last known place of abode). (Signature).
Dated this.....day of.....19.....

Form 57 (Reg. 68).
Industrial Arbitration Act, 1912-1963.
Before the Industrial Magistrate at.....
No.....of 19.....
.....
Complainant,
and
.....
Defendant.

SUMMONS OF A WITNESS.

To *
of †
WHEREAS a Complaint was on the.....day of
19....., made before the Registrar of The Western Australian Industrial
Commission (or one of Her Majesty's Justices of the Peace or a Clerk of Petty
Sessions or Clerk to Industrial Magistrate) by.....
that
of
committed a breach of Award (or Industrial Agreement) No.....of
19....., in that ‡
.....
.....
.....

These are therefore to require you to appear at.....
.....on the.....day of
19....., at.....o'clock in the.....noon before the Industrial
Magistrate to testify what you know concerning the matters of the said
Complaint: And you are further required to bring with you and produce at
the same time and place abovenamed the following documents:
.....
.....

Given under my hand at.....in the said State this.....
day of.....19.....

Registrar of The Western Australian Industrial
Commission (or Justice of the Peace or Clerk
of Petty Sessions or Clerk to Industrial
Magistrate).

* Name in full of Witness to be stated.
† Set out full address of Witness.
‡ Here set out Breach complained of.

INDORSEMENT OF SERVICE.

On the.....day of.....19....., at
....., I served the within-named
.....with the within Summons by
delivering a duplicate of it to him personally (or by leaving a duplicate for
him with.....
at....., his last known place of abode).
.....(Signature).
Dated this.....day of.....19.....

Form 58 (Reg. 68).

Industrial Arbitration Act, 1912-1963.

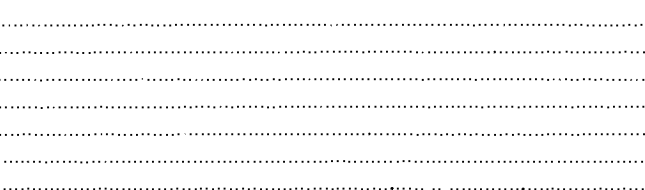
Before the Industrial Magistrate at No. of 19

CERTIFICATE.

I, _____, of _____, do hereby certify as follows:—

1. I am the.....of the
.....
Industrial Union.

2. On the.....day of.....19.....
a meeting of the governing body of the said Union was duly held
at.....at which the following
resolution was submitted and passed by a majority of the members thereof,
qualified to vote who were present at the said meeting:—



Dated this.....day of.....19.....
(Signature).....

* Insert copy of resolution.

Form 59 (Reg. 69).

Industrial Arbitration Act, 1912-1963.

In The Western Australian Industrial Commission.

No.....of 19.....

Between.....

 Appellant.
 (Applicant/Respondent.)
 and

Respondent.
(Applicant/Respondent.)

NOTICE OF APPEAL FROM AWARD, AMENDMENT OF AWARD,
ORDER OR DECISION OF A COMMISSIONER.

1. Take notice that the abovenamed Appellant hereby appeals against the award/amendment of award/order/decision of Commissioner.....dated the.....day of.....19....., given in the abovementioned matter.

2. The following are the matters appealed against:—
(Set out herein the extent to which any such matter shall be set aside or varied.)

(Here set out whether the appeal is against the whole of the award, amendment of award, order or decision, or against only part thereof, in the latter case specifying the part or parts appealed against.)

3. The grounds on which this appeal is made in respect of each of such matters are as follows:—

(Here set out with particularity the grounds of the Appeal on each matter.)
Dated this.....day of.....19.....

Filed this.....day of.....19.....
Appellant.
Registrar.

Form 60 (Reg. 80).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.
In the matter of a Board of Reference appointed for the purpose of:—

BOARD OF REFERENCE—NOMINATION OF WORKERS'
REPRESENTATIVE.

We, the Secretary and President (or Chairman) of the.....Industrial Union hereby nominate.....of.....as a Workers' representative member of the abovenamed Board of Reference.

Dated this.....day of.....19.....

Signature of Secretary.

Signature of President.

CONSENT OF NOMINEE.

I, the abovenamed.....hereby consent to such nomination.

(Signature)

To the Registrar,
The Western Australian Industrial Commission, Perth.

Form 61 (Reg. 80).

Industrial Arbitration Act, 1912-1963.

In The Western Australian Industrial Commission.

In the matter of a Board of Reference appointed for the purpose of:—

BOARD OF REFERENCE—NOMINATION OF EMPLOYERS' REPRESENTATIVE.

We, the undersigned employers in the calling or callings to which the above-named Board applies hereby nominate.....as an employers' representative member of the said Board.

Dated this.....day of.....19.....

Signatures:—

Name:	Occupation:	Address:
.....
.....
.....
.....
.....
.....
.....
.....
.....

CONSENT OF NOMINEE.

I, the abovenamed.....hereby consent to such nomination.

(Signature).

To the Registrar,
The Western Australian Industrial Commission, Perth.

Form 62 (Reg. 80).

Industrial Arbitration Act, 1912-1963.

In the Western Australian Industrial Commission.

In the matter of a Board of Reference appointed for the purpose of:—

BOARD OF REFERENCE—APPOINTMENT OF CHAIRMAN.

* (1) We, the undersigned parties to the above matter, hereby request the Chief Industrial Commissioner to appoint a Chairman of such Board.

* (2) We, the undersigned parties to the above matter, hereby notify that we have agreed that.....should act as chairman of such Board.

Dated this.....day of.....19.....

Signatures of Parties:

.....
.....
.....
.....
.....

CONSENT OF NOMINEE.

I, the abovenamed.....hereby consent
to such nomination.

.....
(Signature)

To the Registrar,
The Western Australian Industrial Commission, Perth.

Form 63 (Reg. 82).
Industrial Arbitration Act, 1912-1963.
In the Western Australian Industrial Commission.

Between No.....of 19.....

.....
Applicant,

and

.....
Respondent.

WARRANT TO APPEAR AS AGENT, ETC.

*
of
is hereby authorised to appear and act for †.....
as Agent in the matter of this reference (or application).

Dated this.....day of.....19.....

For the.....

.....
Chairman (or as provided in Rules).
(or in cases where the Warrant is given on behalf of some party other
than an Industrial Union of Association)——

.....
Signature of Party.

Filed this.....day of.....19.....

.....
Registrar

* Name in full of Agent.
† Name of party for whom Agent is appearing.

Form 64 (Reg. 85).
Industrial Arbitration Act, 1912-1963.
In the Western Australian Industrial Commission.

Between No.....of 19.....

.....
Applicant,

and

.....
Respondent.

NOTICE TO PRODUCE.

Take notice that....., the applicant (respondent or one of the applicants or respondents) to this dispute (or application) desires to inspect the following books, papers, or documents now in your possession or under your control, namely:—.....

..... and for this purpose you are hereby required to forthwith appoint some reasonable time and place when and where such inspection may be made by the said applicant (respondent), or his or its agent or representative, and to produce the same accordingly.

And further take notice that in the event of your failing to comply with the above requirement an application may be made to the Commission in Chambers for an order compelling compliance therewith.

Dated this.....day of.....19.....

(Signature).....Registrar.

To.....

Form 65 (Reg. 86).

Industrial Arbitration Act, 1912-1963.

In The Western Australian Industrial Commission.

No.....of 19.....

Between

Applicant.

and

Respondent.

NOTICE TO ADMIT.

To.....

TAKE notice that you are required prior to the hearing of the above matter, to admit in writing the following facts:—

- (1)
- (2)
- (3)
- (4)
- (5)

Should you fail to comply with this notice you will be liable to pay the applicant's costs in establishing such facts before the Commission.

Dated this.....day of....., 19.....

(Signature)

Filed this.....day of....., 19.....

Registrar.

Form 66 (Reg. 87).

Industrial Arbitration Act, 1912-1963.

In The Western Australian Industrial Commission.

No.....of 19.....

Between

(Applicant)

and

(Respondent).

SUMMONS TO WITNESS.

Name in Full.		Occupation and Address.
To.....	of.....	.....
.....	of.....	.....
.....	of.....	.....
.....	of.....	.....
and	of.....	.....

You are hereby summoned to appear before the abovenamed Commission at....., on....., the.....day of....., 19....., at.....o'clock in the.....noon, and thereafter from day to day until discharged from attendance, to give evidence concerning the abovementioned matter on behalf of the applicant (respondent).

And you are also required to have and produce at the same time and place all books, papers, or other documents in your possession or under your control in any way relating to the proceedings in the said matter and in particular (but not exclusively) the following*:-.....

If you fail or neglect to comply with this summons you are liable to a penalty.

Dated at....., this.....day of....., 19.....

Issued in the name of and on behalf of The Western Australian Industrial Commission.

.....
Registrar.

* Stating them.

Form 67 (Reg. 105).

Industrial Arbitration Act, 1912-1963.

In the Western Australian Industrial Commission.

No.....of 19.....

In the matter of the Industrial Arbitration Act, 1912-1963, and in the matter of an existing or impending industrial dispute between.....

and

at

SUMMONS TO ATTEND CONFERENCE.

IN pursuance of the powers conferred by section 171 of the abovenamed Act you are hereby summoned to attend a conference presided over by a member of the said Commission at the hour of.....o'clock in the.....noon on.....day, the.....day of....., 19....., at.....

Dated this.....day of....., 19.....

.....
A Member of The Western Australian Industrial Commission.

To.....

Form 68 (Reg. 105).
Industrial Arbitration Act, 1912-1963.
In the Western Australian Industrial Commission.

No.....of 19.....
In the matter of the Industrial Arbitration Act, 1912-1963,
and
In the matter of an industrial dispute between.....
and.....
at

I, the undersigned, a member of the Western Australian Industrial Commission, do hereby inform the Commission in Court Session that at a conference held pursuant to the said Act between the abovenamed Parties at which I presided, and which was convened by a summons issued by me it appeared that the matters specified at the foot hereof, which were in dispute between the said parties, could not be settled at the said conference and no agreement was arrived at in respect thereof and I do therefore, pursuant to the powers in this behalf vested in me by the said Act, refer all the said matters to the said Commission to be heard and determined in accordance with the said Act as an industrial dispute wherein.....
shall be deemed to be the applicant and.....
the respondent.

Dated this.....day of.....19.....
.....
Commissioner.

MATTERS REFERRED TO THE COMMISSION IN COURT SESSION.
(Here set out matters referred to the Commission in Court Session.)
.....
.....

Form 69 (Reg. 106).
Industrial Arbitration Act, 1912-1963.
In The Western Australian Industrial Commission.

No.....of 19.....
In the matter of the Industrial Arbitration Act, 1912-1963,
and
In the matter of an Industrial Dispute between

and
CONSENT BY PARTIES TO INDUSTRIAL DISPUTE BEING REFERRED
TO A COMMISSIONER.

Whereas a conference has been held pursuant to Section 171 of the said Act, and an agreement as to the whole or part of the matters in dispute has not been reached, now we, being parties to the dispute specified at the foot hereof do hereby consent to the same being heard and determined by the Commissioner, presiding over that conference.

(Matters in dispute.)
.....
.....
.....
.....
.....

Dated this.....day of.....19.....

.....
.....
(Parties.)

Filed this.....day of.....19.....

.....
(Registrar.)

INDUSTRIAL ARBITRATION ACT, 1912-1963.

Department of Labour,
Perth, 30th January, 1964.

HIS Excellency the Governor in Executive Council has been pleased to approve of the following Regulations made under the Industrial Arbitration Act, 1912-1963, and section 11 of the Interpretation Act, 1918-1962.

(Sgd.) C. A. REEVE,
Secretary for Labour.

The Western Australian Industrial Commission in Court Session, with the approval of His Excellency the Governor, and in pursuance of the provisions of the Industrial Arbitration Act, 1912-1963, and section 11 of the Interpretation Act, 1918-1962, hereby makes the following Regulations:—

APPRENTICESHIP REGULATIONS.

Application.

1. These regulations shall be deemed to be incorporated in and form part of every Award and Industrial Agreement made under the Act on or after the 1st day of February, 1964, unless therein added to, varied or amended or thereby declared inapplicable in whole or in part: Provided however, that they shall have no application in any "building trade" defined from time to time by regulation pursuant to subsection (5) of section 128 of the Act.

Interpretation.

2. In these regulations unless the context requires otherwise—

"Apprentice" means any person of either sex of any age who is apprenticed to learn or to be taught any industry, trade, craft, or calling to which these regulations apply, and includes an apprentice on probation;

"Award" includes Industrial Agreement;

"Commission" means The Western Australian Industrial Commission;

"Employer" includes any firm, company, or corporation;

"Minor" means a person not less than fourteen years of age and not more than eighteen years of age who customarily works under the direction of or in association with an employer, master, or journeyman upon the material and with the tools or implements used in the industry;

"the Act" means the Industrial Arbitration Act, 1912 (as amended).

Employment—Probation.

3. No minor shall (except where provision is otherwise made in the Award) be employed or engaged in an apprenticeship trade in the industry, except subject to the conditions of apprenticeship or probationship herein contained.

4. (a) Every apprentice shall be employed on probation for a period of three months to determine his fitness or otherwise for apprenticeship, and shall work only for such hours per day and for such remuneration as may be prescribed by the Award. In the event of his becoming an apprentice such probationary period shall be counted as part of the term of apprenticeship.

(b) The Commission may in any case where it seems expedient to do so, order that the probationary period of employment be extended for a further period not exceeding three months.

5. (a) Any employer taking an apprentice on probation shall within 14 days thereafter register such probationer by giving notice thereof to the Registrar in Form A in the Appendix.

(b) At the end of the period of probation of each apprentice, if mutually agreed upon by the employer and the legal guardian of the boy, but not otherwise, he may become an apprentice under an agreement.

6. The employer of every apprentice shall keep him constantly at work and teach such apprentice or cause him to be taught the industry, craft, occupation or calling in relation to which he is bound apprentice, by competent instruction in a gradual and complete manner, and shall give such apprentice a reasonable opportunity to learn the same, and receive, during the period of his apprenticeship, such technical, trade, and general instruction

and training as may be necessary. And every apprentice shall, during the period of his apprenticeship, faithfully serve his employer for the purpose of being taught the industry, craft, occupation, or calling in relation to which he is bound, and shall also conscientiously and regularly accept such technical, trade, and general instruction and training as aforesaid, in addition to the teaching that may be provided by his employer.

7. The employer and the apprentice respectively shall be deemed to undertake the duty which he agrees to perform as a duty enforceable under an Award under the Act.

Apprenticeship Board.

8. (a) The Commission may on its own motion or on the application of any of the parties to the Award, appoint a Board for the purpose of dealing with all matters affecting apprentices assigned to the determination of the Board by the Commission, and in particular to perform and discharge all powers and duties in these regulations and therein to be performed and discharged by the Commission, which in any particular instance may be assigned to the Board by the Commission, except such powers and duties as are specially assigned to the Commission by the Act.

(b) The Board shall consist of the following:—

- (i) A chairman, to be appointed by the Commission; and
- (ii) representatives of the employers and workers respectively, one or two on each side, as may be decided by the Commission.

(c) The Board shall be invested with the following powers and functions in addition and without prejudice to those mentioned in paragraph (a):—

- (i) To endeavour to promote apprenticeships under the Award;
- (ii) to settle and determine syllabi of training (subject to review by the Commission if there is any disagreement between the Board and the examiners) and to arrange for the periodical examination of apprentices;
- (iii) to enter any factory, workshop, or place where an apprentice is employed or appoint any other person for that purpose and inspect the conditions under which any apprentice is employed;
- (iv) to require any employer to furnish the Board with any specified information relating to any trade or industry subject to the Award, or any of the workers engaged therein, with a view to determining whether there is a sufficient number of apprentices being trained to meet future requirements and in the interests of the community;
- (v) to advise the Commission as to all matters appertaining to apprentices.

(d) A majority of the members of the Board, one of whom must be the chairman, shall constitute a quorum.

(e) The decision of the Board shall be the decision of the majority of the members and shall be signed by the chairman and forwarded to the Registrar.

(f) Either party, with the consent of the Commission, may at any time alter its representative.

9. (a) No employer shall refuse employment to any person, or dismiss any worker from his employment, or injure him in his employment or alter his position to his prejudice, by reason merely of the fact that the worker is a member of the Board, or by reason merely of anything said or done or omitted to be done by any such person or worker in the course of his duty as such member.

(b) In any proceeding for any contravention of this regulation it shall lie upon the employer to show that any person proved to have been refused employment, or any worker proved to have been dismissed or injured in his employment or prejudiced whilst acting as such member was refused employment or dismissed or injured in his employment or prejudiced for some reason other than that mentioned in this paragraph.

Agreement of Apprenticeship.

10. (a) All agreements of apprenticeship shall be drawn up on a form approved by the Commission, and signed by the employer, the legal guardian of the apprentice (if any), the apprentice, and filed with the Registrar. No employer, guardian, or apprentice shall enter into any agreement or undertaking purporting to add to, vary, alter or amend any such agreement without the approval of the Commission.

(b) There shall be three copies of each agreement, of which one copy shall be held by the employer, one shall be held by the legal guardian of the apprentice, and one copy shall be retained by the Registrar.

(c) The apprenticeship agreement shall be completed within one month of the termination of the probationary period.

(d) Every agreement of apprenticeship shall be subject to the provisions of the Award in force for the time being applicable to apprenticeship in the industry.

11. Every agreement of apprenticeship shall be for a period of five years, or such other period as may be prescribed by the Award, but this period may be reduced, or deemed to have been commenced prior to the date of the agreement, in special circumstances with the approval of the Commission.

12. Every agreement of apprenticeship entered into shall contain—

- (a) the names and addresses of the parties to the agreement;
- (b) the date of birth of the apprentice;
- (c) a description of the industry, craft, occupation or calling or combination thereof to which the apprentice is to be bound;
- (d) the date at which the apprenticeship is to commence and the period of apprenticeship;
- (e) a condition requiring the apprentice to obey all reasonable directions of the employer and requiring the employer and apprentice to comply with the terms of the industrial Award so far as they concern the apprentice;
- (f) a condition that technical instruction of the apprentice, prescribed by any award or agreement binding on the apprentice and his employer or by these regulations, when available, shall be at the employer's expense, and shall be in the employer's time, except in places where such instruction is given after the ordinary working hours;
- (g) a condition that in the event of any apprentice, in the opinion of the examiners, not progressing satisfactorily, increased time for technical instruction shall be allowed at the employer's expense to enable such apprentice to reach the necessary standard but if, and only if, the failure of the apprentice to make satisfactory progress is due to the fault of the employer or is due to the inability of the apprentice to attend to his duties at any time during the term of his apprenticeship, whether on account of illness or other lawful reason;
- (h) a provision for mutual cancellation of the agreement in accordance with regulation 18.

Transfer of Apprentices.

13. (a) The Commission shall have power to transfer an apprentice from (a) one employer to another and/or (b) from one trade to another, either temporarily or permanently—

- (i) if the employer does not provide the necessary facilities for the apprentice to become proficient in his trade; or
- (ii) upon the application of the employer or the apprentice for good cause shown.

(b) The transfer of every agreement shall be made out in quadruplicate and shall, unless the Commission otherwise directs, be signed by the late employer or his assigns, the legal guardian of the apprentice (if any), the apprentice, the new employer, and filed with the Registrar. The transfer form shall be completed within two months of the date on which the transfer is affected.

(c) One copy of the transfer agreement shall be held by the late employer, one shall be held by the new employer, one shall be held by the legal guardian of the apprentice, and one shall be retained by the Registrar.

14. Should an employer at any time before the determination of the period of apprenticeship desire to dispense with the service of the apprentice, he may with the consent of the apprentice and guardian (or, if none, with the consent of the Commission), transfer him to another employer willing to continue to teach the apprentice and pay the rate of wages prescribed by the Commission in its Award or otherwise according to the total length of time served, and generally to perform the obligations of the original employer.

15. On the transfer or termination of any apprenticeship, from whatever cause, the employer shall give the apprentice a statement in writing setting forth the time he has served, full particulars of the branches of the trade or industry in which he has received instruction and the proficiency attained (see Form B in the Appendix); and he shall also notify the Registrar stating the cause of such transfer or termination. On any such transfer the original employer shall be relieved from all obligations under the contract.

16. In the event of an employer being unable to provide work for the apprentice or to mutually agree with the legal guardian of the apprentice to cancel the agreement or to arrange a transfer, application may be made to the Commission to arrange for such transfer or to have such agreement cancelled.

17. Where a person is apprenticed to partners his agreement of apprenticeship shall upon the retirement or death of any partner be deemed to be assigned to the continuing partner or partners.

Cancellation of Agreement.

18. An apprenticeship agreement may be cancelled by the mutual consent of the employer, the apprentice, and his legal guardian. One month's prior notice thereof in Form F in the Appendix, signed by the parties, shall be given to the Registrar who shall forthwith notify the union concerned. The Registrar may reduce the period of one month in any particular case.

19. If the apprentice shall at any time be wilfully disobedient to the lawful orders of the employer, his managers, foremen or other servants having authority over the apprentice, or be slothful, negligent, or dishonest, or shall otherwise grossly misbehave himself, or shall not conduct himself as a good and faithful apprentice should do, or shall not faithfully observe and keep his part of his agreement, then it shall be lawful for the employer, with the consent of the Commission, to discharge the apprentice from his service.

20. The Commission may in its discretion for any cause which it may deem sufficient on the application of any party to an apprenticeship agreement vary, suspend or cancel the agreement, either unconditionally or subject to such terms and conditions as it may deem advisable.

21. No apprentice employed under a registered agreement shall be discharged by the employer for alleged misconduct until the registration of the agreement of apprenticeship has been cancelled by order of the Commission on the application of the employer.

Provided, however, that an apprentice may be suspended for misconduct by the employer, but in any such case the employer shall, as soon as reasonably practicable, make an application for cancellation of the agreement of apprenticeship, and, in the event of the Commission refusing same, the wages of the apprentice or such portion thereof, if any, as the Commission may order shall be paid as from the date of such suspension, and, in the event of the application for cancellation being granted, such order may take effect from the date when the apprentice was suspended.

22. Subject to the provisions of the Acts relating to Bankruptcy and Insolvency and the Winding-up of Companies, the following provisions shall apply:—

- (a) The trustee or liquidator, as the case may be, may give written notice to the apprentice and his parent or guardian of his intention to discontinue the employment of the apprentice from a date to be named in such notice, and thereupon the agreement shall be deemed to be terminated from the said date.

- (b) Neither the apprentice, his parent or guardian, shall have any right of action against the employer unless the Commission specifically authorises the same after consideration of the circumstances, and, in any event, any proceedings for damages hereunder authorised by the Commission must be commenced within six weeks after the service on the apprentice of the notice referred to in paragraph (a) hereof, otherwise any claim for damages shall be deemed to be waived and forfeited.
- (c) If the contract of apprenticeship is transferred on the bankruptcy or insolvency of the employer, to another employer, the apprentice named in such contract shall not be counted in calculating the proportion of apprentices to other labour.

Extension of Term.

23. Time lost by the apprentice through sickness or any other cause whatsoever may, with the consent of the Commission on the application of any party, be added to the original term in the apprenticeship agreement at the end of the year of service in which the time has been lost or at the termination of the apprenticeship period.

24. The term of apprenticeship may be extended by the Commission on the failure of an apprentice to pass two consecutive examinations, either by ordering a continuation of any particular year of the apprenticeship, in which case the next year of service shall not commence until after the expiration of the extended period, or by adding the period of extension to the last year of service. Provided that, where an apprentice who has had his term extended shows marked improvement, the Commission may cancel the extension on the recommendation of the examiners. It shall be the duty of the examiners to make any recommendation they see fit to the Commission for the purpose of such extension or the cancellation of such extension. Any extension of the term of apprenticeship shall be subject to all the conditions and stipulations in the original agreement, except as to rates of wages, which shall be such amount as the Commission may determine.

Technical Education Classes.

25. (a) Every apprentice shall attend regularly and punctually a Government or other approved technical school vocational classes or classes of instruction, for instruction in such subjects as are provided for his trade. This paragraph shall be deemed to have been complied with if the apprentice takes a course in an approved correspondence school: Provided, however, that attendances shall not be compulsory when the apprentice is resident outside a radius of 12 miles from the place where instruction is given, or in the case of illness of the apprentice the proof whereof lies on him. Provided also that if technical instruction is not available in the locality in which the apprentice is employed and is available by correspondence, at reasonable cost to be approved by the Commission, the Commission may prescribe such correspondence course as the technical instruction to be taken by the apprentice and paid for by the employer.

(b) The fees for the classes attended by the apprentice shall be paid by the employer.

(c) The period during which apprentices are to attend such technical school or classes if any shall be eight hours per fortnight.

26. Any apprentice who—

- (a) fails without reasonable cause, the proof whereof lies on him, to attend any technical school or class punctually when such is available for instruction, at the time appointed for the commencement of the school or class, or leaves school or class before the time appointed for leaving, without the permission of the teacher; or
- (b) fails to be diligent or behaves in an indecorous manner while in such school or class; or
- (c) destroys or fails to take care of any material or equipment in such school or class,

shall be deemed to commit a breach of the Award and shall be liable for each such breach to a penalty not exceeding two pounds.

27. Where in any case it is shown to the satisfaction of the Commission that any apprentice, by reason of his engagement on country work or other good cause, cannot conveniently attend a technical school or other prescribed classes, such of these regulations as relate to attendance at a technical school or other prescribed classes, and to examinations, shall not apply to such apprentice, but he shall be subject to such conditions as the Commission may direct.

28. When an apprentice attends a technical school, vocational classes, or other class or classes of instruction during his ordinary working hours, where such is prescribed, the time so occupied shall be regarded as part of the term of his apprenticeship, and the employer shall not be entitled to make any deduction from the wages of the apprentice for such time.

Examination.

29. (a) Every apprentice shall be bound to submit himself to examination at the places and times appointed by the Registrar after consultation with the examiners.

(b) Every apprentice shall, prior to submitting himself to examination, if required by the examiners, produce to the examiners a certificate that he has made at least 70 per centum of attendances at the technical school or other place of instruction, unless he is exempted from such attendance for good cause.

(c) The Registrar shall notify the examiners of the names and addresses of the apprentices required to submit themselves to examination and the attendances made by them at the technical school, should such information be in his possession.

(d) The employer shall place at the disposal of the examiners such material and machinery on his premises as may be required by them, and shall in all ways facilitate the conduct of the examination.

30. (a) The examiners shall be persons skilled in the industry and appointed by the Commission. In the event of a disagreement between the examiners, the matter in dispute shall be referred to a third person agreed to by them or appointed by the Registrar, at the request of any of the examiners, and the decision of such person shall be final and conclusive. Any dispute in respect of an appointment made by the Registrar shall be referred to the Commission for determination.

(b) It shall be the duty of the examiners to examine the work, require the production of the certificate of attendance, inquire into the diligence of each apprentice, and as to the opportunities provided by the employer for each apprentice to learn and to submit a report to the Registrar in writing as to the result of the examination within one month from the date of holding the examination, but this period may be extended by the Registrar.

(c) Such examination shall, where possible, include theory and practice as applied to the trade, industry, craft, occupation, or calling to which the apprentice is indentured.

31. The Registrar shall, after each examination, issue a certificate in Form C in the Appendix to each apprentice indicating the results and the term of apprenticeship served.

32. The examiners shall draw up and submit to the Apprenticeship Board, or to the Commission if no Board has been appointed, a syllabus of training and may from time to time recommend to the Board or the Commission as the case may be variations of such syllabus.

33. On the failure of an apprentice to pass any of the examinations, the employer may, if the examiners so recommend and the Commission approves, withhold the increase in wages accruing to the apprentice in accordance with the scale set forth in the Award for such period as may be recommended by the examiners but not exceeding twelve months.

34. Upon the failure of an apprentice to pass two consecutive examinations, it shall be the duty of the examiners to report same to the Commission, with a recommendation as to the extension of the apprenticeship period, the

cancellation of the apprenticeship agreement, or such other remedial measure as they may deem advisable. The Commission, after notice to all parties concerned, may cancel the agreement or make such other order in the circumstances as it may deem necessary.

35. Upon completion of the period of training prescribed or any authorised extension thereof, each apprentice shall, if he has passed the final examination to the satisfaction of the examiners, be provided with a certificate in Form D in the Appendix by the Registrar. This certificate shall also be signed by the examiners.

Lost Time.

36. The employer shall pay the apprentice for all time lost through sickness or the holidays prescribed by the Award: Provided—

- (a) payment for such sickness shall not exceed a total of two weeks in each year;
- (b) where the time lost through sickness exceeds three consecutive working days, the employer may demand from the apprentice the production of a medical certificate, and a further certificate or certificates may be required if any time is lost through sickness within seven days from the date of resumption of duty, the cost if any of such certificate or certificates not exceeding 5s. to be borne by the employer;
- (c) an apprentice shall not be entitled to receive any wages from his employer for any time lost through the result of an accident not arising out of or in the course of his employment, or for any accident or sickness arising out of his own wilful default.

37. Except where otherwise provided by the Award or these regulations, when an apprentice is absent from work the employer shall be entitled to deduct from his wages an amount proportionate to the time so lost.

Part-time Employment.

38. Where in any case an employer is temporarily unable to provide work to employ an apprentice for his full time, application may be made by the employer to the Commission for permission—

- (a) to employ the apprentice for such lesser time per week or per month and at such remuneration as the Commission may determine, being not less than the proportionate amount of the rate of wages prescribed by the industrial Award or Agreement for the trade, calling, or industry; or
- (b) to suspend the contract for such period and on such terms as the Commission thinks fit.

If the Commission grants the application, holidays will be reduced *pro rata*.

Miscellaneous.

39. (1) The Registrar shall prepare and keep the following records:—

- (a) A record of all apprentices and probationers placed with employers.
- (b) A record of all employers with whom apprentices are placed.
- (c) A record of the progress of each apprentice, recording the results of the examiners' reports.
- (d) Any other particulars the Commission may direct.

(2) These records shall be open to inspection by employers and the unions of workers interested upon request.

40. (1) (a) For the purpose of ascertaining the number of apprentices allowed at any time, the average number of journeymen employed on all working days of the 12 months immediately preceding such time shall be deemed to be the number of journeymen employed.

(b) Where the employer is himself a journeyman regularly and usually working at the trade, he shall be counted as a journeyman for the purpose of computing the number of apprentices allowed. In the case of a partnership each partner shall be deemed a journeyman for the purpose of this paragraph.

(c) Where a business is in operation for less than 12 months the method of ascertaining the number shall be as agreed by the union and the employer, or if no agreement is arrived at, as determined by the Commission.

(2) Notwithstanding the provisions of subregulation (1) hereof the Commission may in any particular case—

- (a) in special circumstances permit the taking or employment of an apprentice by an employer notwithstanding that the quota fixed by the Award may be exceeded;
- (b) refuse the registration of an agreement of apprenticeship or the taking of an apprentice in any case when in the opinion of the Commission the circumstances are such that the apprentice is not likely to receive the instruction and training necessary to qualify him as a tradesman.

41. With a view to determining whether the number of apprentices being trained is sufficient to meet the future requirements of the industry in the matter of skilled artisans, the Registrar may require any employer to furnish him with any specified information relating to the said industry, or relating to the workers engaged therein.

42. In every application under regulations 14, 16, 19, 20, 21 and 38 of these regulations, the union of workers registered may intervene and make such representations at the hearing as it may deem necessary. Similarly, in the case of an application under regulation 23, the employer may intervene and, in an application under regulation 24, both the employer and the union may intervene.

43. The Apprenticeship Regulations made on the 2nd day of November, 1953, are revoked as from and including the day upon which these regulations have and take effect.

APPENDIX.

Form A.

To

The Registrar, The Western Australian Industrial Commission, Perth.

Please take notice that.....

of....., has entered my service on probation as an
 apprentice to the.....branch of the.....trade
 on the.....day of.....19.....

(Signature of employer).....
 Particulars relating to the Apprentice.

Dated this.....day of....., 19.....

Date of birth.....

Standard passed at school.....

(Signature of apprentice).....
 (Signature of parent or guardian).....

Form B.

CERTIFICATE OF SERVICE.

This is to certify that.....of.....
 has served.....years.....months at the.....branch
 of the.....trade. He has attained (or not attained or attained
 more than) the average proficiency of an apprentice of like experience. The
 cause of the transfer (or termination) of the apprenticeship is as follows:—

Dated this.....day of.....19.....

(Signature of employer).....

Form C.

CERTIFICATE OF PROFICENCY.

This is to certify that.....has satisfied the examiners
of.....competence in the.....branch of the
.....trade at the examination proper to the.....year
of.....service as apprentice.

Dated this.....day of.....19.....

Registrar.

Form D.

FINAL CERTIFICATE.

This is to certify that.....of.....has completed
the period of training of.....years, prescribed by his Agreement of
Apprenticeship and has passed the Final Examination Test to the satisfaction
of the examiners for the.....trade.

Dated at.....the.....day of.....19.....

Registrar.

Examiners.

Form E.

GENERAL FORM OF APPRENTICESHIP AGREEMENT.

(Recommended.)

THIS AGREEMENT, made this.....day of.....19.....
between.....of (address).....(occupation)
(hereinafter called "the employer"), of the first part,.....of
....., born on the.....day of.....19.....
(hereinafter called "the apprentice"), of the second part, and.....
of.....(address).....(occupation).
parent (or guardian) of the said.....(hereinafter
called the "parent" or "guardian"), of the third part witnesseth as follows:—

1. The apprentice of his own free will and with the consent of the parent
(or guardian) hereby binds himself to serve the employer as his apprentice, and
to learn the trade of.....for a period of.....years,
from the.....day of....., one thousand nine
hundred and.....

2. The parent (or guardian) and apprentice hereby for themselves and
each of them and their and each of their respective executors, administrators,
and assigns covenant with the employer as follows:—

- (a) That the apprentice shall and will truly and faithfully serve the
employer as his apprentice in the said trade at.....
aforesaid, and will diligently attend to his work at the said trade,
and will at all times willingly obey the reasonable directions of the
employer, his managers, foremen, and overseers, and will not
during the apprenticeship, without the consent in writing of the
employer, sell any goods which the employer makes or employ
himself in the service of any other person or company in any work,
or do any work which the employer undertakes, other than for the
employer, and will not absent himself from the employer's service
without leave, and will comply with the provisions of the regula-
tions and of all Awards and Agreements made under the Industrial
Arbitration Act, 1912-1963, or any other Act in force so far as the
same shall relate to his apprenticeship.

(b) That the apprentice will not do or knowingly suffer any damage to be done to the property of the employer.

3. The employer for himself, his heirs, executors, administrators and assigns hereby covenants with the apprentice as follows:—

- (a) That the employer will accept the apprentice as his apprentice during the said term, and will during the said term, by the best means in his power, cause him to be instructed in the trade of.....and will provide facilities for the practical training of the apprentice in the said trade.
- (b) That the technical instruction of the apprentice, prescribed by any Award or Agreement binding on the apprentice, and his employer, or by the regulations relating to the apprenticeship when available, shall be at the expense of the employer and shall be in the employer's time, except in places when such instruction is given after the ordinary working hours.
- (c) In the event of the apprentice, in the opinion of the examiner or examiners appointed by the Registrar, not progressing satisfactorily, increased time for technical instruction shall be allowed at the employer's expense to enable the apprentice to reach the necessary standard, but if, and only if, the failure of the apprentice to make satisfactory progress is due to the fault of the employer or is due to the inability of the apprentice to attend to his duties at any time during the term of his apprenticeship, whether on account of illness or other lawful reason.
- (d) That the employer will observe and perform all the conditions and stipulations of the Industrial Arbitration Act, 1912-1963, or any Act or Acts amending the same and any regulations made thereunder, as far as the same concern the apprentice, and also the conditions and stipulations of any relative Award or Industrial Agreement for the time being in force.

4. It is further agreed between the parties hereto:—

- (a) That the apprentice shall not be responsible for any faulty work or for any damage or injury done to materials, work, or machinery, tools, or plant other than wilful damage or injury during the course of his work.
- (b) That the apprentice shall not be required to work overtime without his consent.
- (c) This Agreement may be cancelled by mutual consent by the employer, the apprentice, and the parent (or guardian) giving one month's notice, or such lesser period as may be fixed by the Industrial Registrar, in writing to the Industrial Registrar that this Agreement shall be terminated, and thereupon the apprenticeship shall be terminated, without prejudice to the rights of any of the parties hereto in respect of any antecedent breach of the provisions of this Agreement.
- (d) Other conditions.

5. This Agreement is subject to amendment, variation, or cancellation by the Commission pursuant to the powers to that effect contained in or implied by the provisions relating to apprentices contained in the Award.

In witness whereof the said parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

Signed, sealed and delivered by the said
.....in the
presence of.....

.....
Signature of Guardian.

And by the said.....
in the presence of.....

.....
Signature of Apprentice.

And by.....of the
said.....for and on
behalf of the said.....
in the presence of.....

.....
Signature of Employer.

Noted and registered this.....day of.....19.....

.....
Registrar.

Form F.

TERMINATION OF APPRENTICESHIP.

To the Registrar,

The Western Australian Industrial Commission.

Notice is hereby given that we have mutually agreed to the termination
of the apprenticeship of.....to the.....branch
of the.....trade, entered into on the.....day of.....19.....,
between.....(employer),.....(parent or guardian),
and.....(apprentice), and request that the cancellation be recorded
as from.....

Dated this.....day of.....19.....

.....
Signature of Apprentice.

.....
Signature of Parent or Guardian.

.....
Signature of Employer.

Dated the 30th day of January, 1964.

STEPHEN F. SCHNAARS,
Chief Industrial Commissioner.

ERIC R. KELLY,
Commissioner.

D. CORT,
Commissioner.

J. R. FLANAGAN,
Commissioner.

